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# COMPILATION OF ALL THE TREATIES

BETWEEN THE

## UNITED STATES AND THE INDIAN TRIBES

NOW IN FORCE AS LAWS.

PREPARED UNDER THE PROVISIONS OF THE ACT OF CONGRESS, APPROVED MARCH 3, 1873, ENTITLED "AN ACT TO PROVIDE FOR THE PREPARATION AND PRESENTATION TO CONGRESS OF THE REVISION OF THE LAWS OF THE UNITED STATES, CONSOLIDATING THE LAWS RELATING TO THE POST-ROADS, AND A CODE RELATING TO MILITARY OFFENSES, AND THE REVISION OF TREATIES WITH THE INDIAN TRIBES NOW IN FORCE."



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# A COMPILATION OF ALL THE TREATIES BETWEEN THE UNITED STATES AND THE INDIAN TRIBES NOW IN FORCE AS LAWS.

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1

## APPALACHICOLAS.

2

### *Treaty with the Appalachicola Band.*

3       The undersigned chiefs, for and in behalf of themselves and  
4 warriors, surrender to the United States, all their right, title,  
5 and interest to a reservation of land made for their benefit, in  
6 the additional article of the treaty, concluded at Camp Moultrie,  
7 in the Territory of Florida, on the 18th of September, eighteen  
8 hundred and twenty-three, and which is described in said arti-  
9 cle, "as commencing on the Appalachicola, one mile below Tuski  
10 Hajo's improvements, running up said river four miles, thence  
11 west two miles, thence southerly to a point due west of the  
12 beginning, thence east to the beginning point," and agree to  
13 remove with their warriors and families, now occupying said  
14 reservation, and amounting in all to (256) two hundred and fifty-  
15 six souls, to the west of the Mississippi River, beyond the limits  
16 of the States and Territories of the United States of America.

17       ARTICLE 2. For and in consideration of said surrender, and  
18 to meet the charges of a party to explore immediately the coun-  
19 try west in search of a home more suitable to their habits than  
20 the one at present occupied, and in full compensation for all the  
21 expenses of emigration, and subsistence for themselves and  
22 party, the United States agree to pay to the undersigned chiefs,  
23 and their warriors, thirteen thousand dollars; three thousand  
24 dollars in cash, the receipt of which is herewith acknowledged,  
25 and ten thousand dollars whenever they have completed their  
26 arrangements, and have commenced the removal of their whole  
27 party.

28       ARTICLE 3. The undersigned chiefs, with their warriors and  
29 families, will evacuate the reservation of land, surrendered by  
30 the first article of this agreement, on or before the first of No-  
31 vember, eighteen hundred and thirty-three; but should unavoid-  
32 able circumstances prevent the conclusion of the necessary pre-  
33 paratory arrangements by that time, it is expected that the in-

34 indulgence of the government of the United States will be rea-  
 35 sonably extended for a term, not to exceed, however, another year.

36 ARTICLE 4. The United States further stipulate to continue  
 37 to Blunt and Davy, (formerly Tuski Hajo, deceased,) the chiefs  
 38 of the towns now consenting to emigrate, their proportion of  
 39 the annuity of five thousand dollars which they at present draw,  
 40 and to which they are entitled under the treaty of Camp Moul-  
 41 trie, so long as they remain in the Territory of Florida, and to  
 42 advance their proportional amount of the said annuity for the  
 43 balance of the term stipulated for its payment in the treaty  
 44 aforesaid, whenever they remove in compliance of the terms of  
 45 this agreement.

46 Proclaimed February 13, 1833.

47 *Treaty with the Appalachicola band.*

48 The undersigned chiefs, for and in behalf of themselves and  
 49 warriors, voluntarily relinquish all the privileges to which they  
 50 are entitled as parties to a treaty concluded at Camp Moultrie  
 51 on the 18th of September, 1823, and surrender to the United  
 52 States all their right, title, and interest to a reservation of land  
 53 made for their benefit in the additional article of the said treaty,  
 54 and which is described in the said article as commencing "on  
 55 the Appalachicola, at a point to include Yellow Hare's improve-  
 56 ments; thence up said river four miles; thence west one mile;  
 57 thence southerly to a point one mile west of the beginning; and  
 58 thence east to the beginning point."

59 ARTICLE 2. For and in consideration of said cession the  
 60 U. States agree to grant, and to convey in three (3) years  
 61 by patent to Mulatto King or Vacapasacy, and to Tustenuggy  
 62 Hajo, head chief of Ematlochees town, for the benefit of them-  
 63 selves, sub-chiefs, and warriors, a section and a half of land to  
 64 each, or contiguous quarter and fractional sections containing a  
 65 like quantity of acres, to be laid off hereafter under the direc-  
 66 tion of the President of the U. States, so as to embrace  
 67 the said chiefs' fields and improvements, after the lands shall  
 68 have been surveyed, and the boundaries to correspond with the  
 69 public surveys, it being understood that the aforesaid chiefs  
 70 may, with the consent and under the advisement of the executive  
 71 of the Territory of Florida, at any time previous to the expi-  
 72 ration of the above three years, dispose of the said sections of  
 73 land, and migrate to a country of their choice; but that should  
 74 they remain on their lands the U. States will, so soon as  
 75 Blunt's band and the Seminoles generally have migrated under  
 76 the stipulations of the treaties concluded with them, withdraw  
 77 the immediate protection hitherto extended to the aforesaid

78 chiefs and warriors, and that they thereafter become subject to  
79 the government and laws of the Territory of Florida.

80 ARTICLE 3. The U. States stipulate to continue to Mulatto  
81 King and Tustenuggy Hadjo, their sub-chiefs and warriors, their  
82 proportion of the annuity of (5,000) five thousand dollars to which  
83 they are entitled under the treaty of Camp Moultrie, so long as  
84 the Seminoles remain in the Territory, and to advance their  
85 proportional amount of the said annuity for the balance of the  
86 term stipulated for its payment in the treaty aforesaid, whenever  
87 the Seminoles finally remove in compliance with the terms of the  
88 treaty concluded at Payne's Landing on 9th May, 1832.

89 ARTICLE 4. If at any time hereafter the chiefs and warriors,  
90 parties to this agreement, should feel disposed to migrate from  
91 the Territory of Florida to the country allotted to the Creeks  
92 and Seminoles in Arkansas, should they elect to sell their grants  
93 of land as provided for in the first article of this treaty, they  
94 must defray from the proceeds of the sales of said land, or from  
95 their private resources all the expenses of their migration, sub-  
96 sistence, &c.—but if they prefer they may, by surrendering to  
97 the U. States all the rights and privileges acquired under the  
98 provisions of this agreement, become parties to the obligations,  
99 provisions, and stipulations of the treaty concluded at Payne's  
100 Landing with the Seminoles on the 9th of May, 1832, as a con-  
101 stituent part of said tribe, and re-unite with said tribe in their  
102 new abode on the Arkansas. The U. States, in that event,  
103 agreeing to pay (3,000) three thousand dollars for the reserva-  
104 tion relinquished in the first article of this treaty, in addition to  
105 the rights and immunities the parties may acquire under the  
106 aforesaid treaty at Payne's Landing.

107 Proclaimed April 12, 1834.

108 *Relinquishment, by certain chiefs, of land reserved by the treaty*  
109 *of 18th Sept., 1823.*

110 The undersigned chiefs, for and in behalf of themselves and  
111 warriors, voluntarily relinquish all the privileges to which they  
112 are entitled, as parties to a treaty concluded at Camp Moultrie, on  
113 the 18th of September, 1823, and surrender to the United States  
114 all their right, title, and interest to a reservation of land made for  
115 their benefit in the additional article of the said treaty, and which  
116 is described in said article as—"commencing on the Chattahoochie,  
117 one mile below Econchatimico's house; thence up said river  
118 four miles; thence one mile west; thence southerly to a point one  
119 mile west of the beginning; thence east to the beginning point."

120 ARTICLE 2. For and in consideration of said cession, the  
121 U. States agree to grant and to convey in three (3) years,

122 by patent, to Econchatimico, for the benefit of himself, sub-  
 123 chiefs, and warriors, three sections of land, (or contiguous quar-  
 124 ter and fractional sections containing a like quantity of acres,)  
 125 to be laid off hereafter under the direction of the President of  
 126 the U. States, so as to embrace the said chiefs' fields, im-  
 127 provements, &c., after the lands shall have been surveyed, and  
 128 the boundaries to correspond with the public surveys; it being  
 129 understood that the aforesaid chief may, with the consent and  
 130 under the advisement of the executive of the Territory of Flor-  
 131 ida, at any time previous to the expiration of the above three  
 132 years, dispose of the said sections of land, and migrate to a  
 133 country of their choice; but that, should they remain on their  
 134 lands, the U. States will, so soon as Blunt's band and the  
 135 Seminoles generally have migrated under the stipulations of  
 136 the treaty concluded with them, withdraw the immediate pro-  
 137 tection hitherto extended to the aforesaid chief, his sub-chiefs,  
 138 and warriors, and that they thereafter become subject to the  
 139 government and laws of the Territory of Florida.

140 ARTICLE 3. The United States stipulate to continue to  
 141 Econchatimico, his sub-chiefs and warriors, their proportion of  
 142 the annuity of (5,000) five thousand dollars to which they are en-  
 143 titled under the treaty of Camp Moultrie, so long as the Semi-  
 144 noles remain in the Territory, and to advance their proportional  
 145 amount of said annuity for the balance of the term stipulated  
 146 for its payment in the treaty aforesaid, whenever the Seminoles  
 147 finally remove in compliance with the terms of the treaty con-  
 148 cluded at Payne's Landing on 9th May, 1832.

149 ARTICLE 4. If, at any time hereafter, the chiefs and  
 150 warriors, parties to this agreement, should feel disposed to mi-  
 151 grate from the Territory of Florida to the country allotted to the  
 152 Creeks and Seminoles in Arkansas; should they elect to sell  
 153 their grants of land as provided for in the first article of this  
 154 treaty, they must defray from the proceeds of the sales of said  
 155 land, or from their private resources, all the expenses of their  
 156 migration, subsistence, &c. But, if they prefer, they may, by  
 157 surrendering to the U. States all the rights and privileges  
 158 acquired under the provisions of this agreement, become parties  
 159 to the obligations, provisions, and stipulations of the treaty con-  
 160 cluded at Payne's Landing with the Seminoles on the 9th May,  
 161 1832, as a constituent part of said tribe, and re-unite with said  
 162 tribe in their new abode on the Arkansas, the United States in  
 163 that event agreeing to pay (3,000) three thousand dollars for the  
 164 reservation relinquished in the first article of this treaty; in ad-  
 165 dition to the rights and immunities the parties may acquire  
 166 under the aforesaid treaty at Payne's Landing.

168 FRANKLIN PIERCE, President of the United States of America,  
 169 to all persons to whom these presents shall come, greeting :  
 170 Whereas a treaty was made and concluded at the council-  
 171 ground on the Upper Missouri, near the mouth of the Judith  
 172 River, in the Territory of Nebraska, on the seventeenth day of  
 173 October, in the year one thousand eight hundred and fifty-five, be-  
 174 tween A. Cumming and Isaac I. Stevens, commissioners on the  
 175 part of the United States, and the Blackfoot and other tribes  
 176 of Indians, which treaty is in the words and figures following,  
 177 to wit :

178 Articles of agreement and convention made and concluded at  
 179 the council-ground on the Upper Missouri, near the mouth of the  
 180 Judith River, in the Territory of Nebraska, this seventeenth day  
 181 of October, in the year one thousand eight hundred and fifty-  
 182 five, by and between A. Cumming and Isaac I. Stevens, commis-  
 183 sioners duly appointed and authorized, on the part of the United  
 184 States, and the undersigned chiefs, headmen, and delegates of  
 185 the following nations and tribes of Indians, who occupy, for the  
 186 purposes of hunting, the territory on the Upper Missouri and  
 187 Yellowstone Rivers, and who have permanent homes, as follows :  
 188 East of the Rocky Mountains, the Blackfoot Nation, consisting of  
 189 the Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians ;  
 190 west of the Rocky Mountains, the Flathead Nation, consisting  
 191 of the Flathead, Upper Pend d'Oreille, and Kootenay tribes of  
 192 Indians, and the Nez Percé tribe of Indians, the said chiefs,  
 193 headmen, and delegates, in behalf of and acting for said nations  
 194 and tribes, and being duly authorized thereto by them.

195 ARTICLE 1. Peace, friendship, and amity shall hereafter exist  
 196 between the United States and the aforesaid nations and tribes  
 197 of Indians, parties to this treaty, and the same shall be per-  
 198 petual.

199 ARTICLE 2. The aforesaid nations and tribes of Indians, par-  
 200 ties to this treaty, do hereby jointly and severally covenant that  
 201 peaceful relations shall likewise be maintained among themselves  
 202 in future ; and that they will abstain from all hostilities whatso-  
 203 ever against each other, and cultivate mutual good-will and  
 204 friendship. And the nations and tribes aforesaid do further-  
 205 more jointly and severally covenant, that peaceful relations shall  
 206 be maintained with and that they will abstain from all hostilities  
 207 whatsoever, excepting in self-defense, against the following-  
 208 named nations and tribes of Indians, to wit : the Crows, Assine-  
 209 boins, Crees, Snakes, Blackfeet, Sans Arcs, and Aunce-pa-pas  
 210 bands of Sioux, and all other neighboring nations and tribes of  
 211 Indians.

212       ARTICLE 3. The Blackfoot Nation consent and agree that all  
 213 that portion of the country recognized and defined by the treaty  
 214 of Laramie as Blackfoot territory, lying within lines drawn from  
 215 the Hell Gate or Medicine Rock Passes in the main range of the  
 216 Rocky Mountains, in an easterly direction to the nearest source  
 217 of the Muscle Shell River, thence to the mouth of Twenty-five  
 218 Yard Creek, thence up the Yellowstone River to its northern  
 219 source, and thence along the main range of the Rocky Mountains,  
 220 in a northerly direction, to the point of beginning, shall be a com-  
 221 mon hunting-ground for ninety-nine years, where all the nations,  
 222 tribes, and bands of Indians, parties to this treaty, may enjoy  
 223 equal and uninterrupted privileges of hunting, fishing, and gath-  
 224 ering fruit, grazing animals, curing meat, and dressing robes.  
 225 They further agree that they will not establish villages, or in any  
 226 other way exercise exclusive rights within ten miles of the north-  
 227 ern line of the common hunting-ground, and that the parties to  
 228 this treaty may hunt on said northern boundary line and within  
 229 ten miles thereof.

230       *Provided*, That the western Indians, parties to this treaty,  
 231 may hunt on the trail leading down the Muscle Shell to the Yel-  
 232 lowstone; the Muscle Shell River being the boundary separating  
 233 the Blackfoot from the Crow territory.

234       *And provided*, That no nation, band, or tribe of Indians, par-  
 235 ties to this treaty, nor any other Indians, shall be permitted to  
 236 establish permanent settlements, or in any other way exercise,  
 237 during the period above mentioned, exclusive rights or privileges  
 238 within the limits of the above-described hunting-ground.

239       *And provided further*, That the rights of the western Indians  
 240 to a whole or a part of the common hunting-ground, derived  
 241 from occupancy and possession, shall not be affected by this ar-  
 242 ticle, except so far as said rights may be determined by the  
 243 treaty of Laramie.

244       ARTICLE 4. The parties to this treaty agree and consent,  
 245 that the tract of country lying within lines drawn from the Hell  
 246 Gate or Medicine Rock Passes, in an easterly direction, to the  
 247 nearest source of the Muscle Shell River, thence down said  
 248 river to its mouth, thence down the channel of the Missouri  
 249 River to the mouth of Milk River, thence due north to the forty-  
 250 ninth parallel, thence due west on said parallel to the main  
 251 range of the Rocky Mountains, and thence southerly along said  
 252 range to the place of beginning, shall be the territory of the  
 253 Blackfoot Nation, over which said nation shall exercise exclu-  
 254 sive control, excepting as may be otherwise provided in this  
 255 treaty. Subject, however, to the provisions of the third article  
 256 of this treaty, giving the right to hunt, and prohibiting the es-  
 257 tablishment of permanent villages and the exercise of any ex-

258 clusive rights within ten miles of the northern line of the com-  
 259 mon hunting-ground, drawn from the nearest source of the  
 260 Muscle Shell River to the Medicine Rock Passes, for the period  
 261 of ninety-nine years :

262 *Provided also,* That the Assiniboinis shall have the right of  
 263 hunting, in common with the Blackfeet, in the country lying  
 264 between the aforesaid eastern boundary line, running from the  
 265 mouth of Milk River to the forty-ninth parallel, and a line  
 266 drawn from the left bank of the Missouri River, opposite  
 267 the Round Butte, north, to the forty-ninth parallel.

268 ARTICLE 5. The parties to this treaty, residing west of the  
 269 main range of the Rocky Mountains, agree and consent that  
 270 they will not enter the common hunting-ground, nor any part of  
 271 the Blackfoot territory, or return home, by any pass in the  
 272 main range of the Rocky Mountains to the north of the Hell  
 273 Gate or Medicine Rock Passes. And they further agree that  
 274 they will not hunt or otherwise disturb the game, when visiting  
 275 the Blackfoot territory for trade or social intercourse.

276 ARTICLE 6. The aforesaid nations and tribes of Indians,  
 277 parties to this treaty, agree and consent to remain within their  
 278 own respective countries, except when going to or from, or  
 279 whilst hunting upon, the "common hunting-ground," or when  
 280 visiting each other for the purpose of trade or social inter-  
 281 course.

282 ARTICLE 7. The aforesaid nations and tribes of Indians agree  
 283 that citizens of the United States may live in and pass un-  
 284 molested through the countries respectively occupied and  
 285 claimed by them. And the United States is hereby bound to  
 286 protect said Indians against depredations and other unlawful  
 287 acts which white men residing in or passing through their  
 288 country may commit.

289 ARTICLE 8. For the purpose of establishing travelling  
 290 thoroughfares through their country, and the better to enable  
 291 the President to execute the provisions of this treaty, the afore-  
 292 said nations and tribes do hereby consent and agree, that the  
 293 United States may, within the countries respectively occupied  
 294 and claimed by them, construct roads of every description;  
 295 establish lines of telegraph and military posts; use materials of  
 296 every description found in the Indian country; build houses  
 297 for agencies, missions, schools, farms, shops, mills, stations, and  
 298 for any other purpose for which they may be required, and per-  
 299 manently occupy as much land as may be necessary for the  
 300 various purposes above enumerated, including the use of wood  
 301 for fuel and land for grazing, and that the navigation of all  
 302 lakes and streams shall be forever free to citizens of the United  
 303 States.

304 ARTICLE 9. In consideration of the foregoing agreements,  
 305 stipulations, and cessions, and on condition of their faithful ob-  
 306 servance, the United States agree to expend, annually, for the  
 307 Piegan, Blood, Blackfoot, and Gros Ventres tribes of Indians,  
 308 constituting the Blackfoot Nation, in addition to the goods and  
 309 provisions distributed at the time of signing this treaty, twenty  
 310 thousand dollars, annually, for ten years, to be expended in such  
 311 useful goods and provisions, and other articles, as the Presi-  
 312 dent, at his discretion, may from time to time determine; and  
 313 the superintendent, or other proper officer, shall each year in-  
 314 form the President of the wishes of the Indians in relation there-  
 315 to: *Provided, however,* That if, in the judgment of the President  
 316 and Senate, this amount be deemed insufficient, it may be in-  
 317 creased not to exceed the sum of thirty-five thousand dollars per  
 318 year.

319 ARTICLE 10. The United States further agree to expend an-  
 320 nually, for the benefit of the aforesaid tribes of the Blackfoot  
 321 Nation, a sum not exceeding fifteen thousand dollars annually,  
 322 for ten years, in establishing and instructing them in agricul-  
 323 tural and mechanical pursuits, and in educating their children,  
 324 and in any other respect promoting their civilization and Chris-  
 325 tianization: *Provided, however,* That to accomplish the objects  
 326 of this article, the President may, at his discretion, apply any  
 327 or all the annuities provided for in this treaty: *And provided,*  
 328 *also,* That the President may, at his discretion, determine in  
 329 what proportions the said annuities shall be divided among the  
 330 several tribes.

331 ARTICLE 11. The aforesaid tribes acknowledge their depend-  
 332 ence on the Government of the United States, and promise to  
 333 be friendly with all citizens thereof, and to commit no depreda-  
 334 tions or other violence upon such citizens. And should any  
 335 one or more violate this pledge, and the fact be proved to the  
 336 satisfaction of the President, the property taken shall be re-  
 337 turned, or, in default thereof, or if injured or destroyed, com-  
 338 pensation may be made by the Government out of the annuities.  
 339 The aforesaid tribes are hereby bound to deliver such offenders  
 340 to the proper authorities for trial and punishment, and are held  
 341 responsible, in their tribal capacity, to make reparation for dep-  
 342 redations so committed.

343 Nor will they make war upon any other tribes except in self-  
 344 defense, but will submit all matter of difference, between them-  
 345 selves and other Indians, to the Government of the United  
 346 States, through its agent, for adjustment, and will abide thereby.  
 347 And if any of the said Indians, parties to this treaty, commit  
 348 depredations on any other Indians within the jurisdiction of the  
 349 United States, the same rule shall prevail as that prescribed in

350 this article in case of depredations against citizens. And the  
 351 said tribes agree not to shelter or conceal offenders against the  
 352 laws of the United States, but to deliver them up to the author-  
 353 ities for trial.

354 ARTICLE 12. It is agreed and understood, by and between  
 355 the parties to this treaty, that if any nation or tribe of Indians  
 356 aforesaid shall violate any of the agreements, obligations, or  
 357 stipulations, herein contained, the United States may withhold,  
 358 for such length of time as the President and Congress may de-  
 359 termine, any portion or all of the annuities agreed to be paid to  
 360 said nation or tribe under the ninth and tenth articles of this  
 361 treaty.

362 ARTICLE 13. The nations and tribes of Indians, parties to  
 363 this treaty, desire to exclude from their country the use of ardent  
 364 spirits or other intoxicating liquor, and to prevent their people  
 365 from drinking the same. Therefore it is provided, that any  
 366 Indian belonging to said tribes who is guilty of bringing such  
 367 liquor into the Indian country, or who drinks liquor, may have  
 368 his or her proportion of the annuities withheld from him or her,  
 369 for such time as the President may determine.

370 ARTICLE 14. The aforesaid nations and tribes of Indians,  
 371 west of the Rocky Mountains, parties to this treaty, do agree, in  
 372 consideration of the provisions already made for them in existing  
 373 treaties, to accept the guarantees of the peaceful occupation of  
 374 their hunting-grounds, east of the Rocky Mountains, and of re-  
 375 muneratation for depredations made by the other tribes, pledged  
 376 to be secured to them in this treaty out of the annuities of said  
 377 tribes, in full compensation for the concessions which they, in  
 378 common with the said tribes, have made in this treaty.

379 The Indians east of the mountains, parties to this treaty,  
 380 likewise recognize and accept the guarantees of this treaty, in full  
 381 compensation for the injuries or depredations which have been,  
 382 or may be committed by the aforesaid tribes, west of the Rocky  
 383 Mountains.

384 ARTICLE 15. The annuities of the aforesaid tribes shall not  
 385 be taken to pay the debts of individuals.

386 ARTICLE 16. This treaty shall be obligatory upon the afore-  
 387 said nations and tribes of Indians, parties hereto, from the date  
 388 hereof, and upon the United States as soon as the same shall be  
 389 ratified by the President and Senate.

390 Proclaimed 25th April, 1856.

391 ANDREW JOHNSON, President of the United States of America,  
 392 to all and singular to whom these presents shall come,  
 393 greeting :

394 Whereas a treaty was made and concluded at Fort Sully, in

395 the Territory of Dakota, on the nineteenth day of October, in  
 396 the year of our Lord one thousand eight hundred and sixty-five,  
 397 by and between Newton Edmunds, Edward B. Taylor, Major-  
 398 General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 399 Reed, and Orrin Guernsey, commissioners, on the part of the  
 400 United States, and Wah-hah-chunk-i-ah-pee, (The one that is  
 401 used as a Shield,) Wah-mun-dee-wak-ko-no, (The War Eagle in  
 402 the Air,) and other chiefs and headmen of the Blackfeet band  
 403 of Dakota or Sioux Indians, on the part of said band of Indians,  
 404 and duly authorized thereto by them, which treaty is in the  
 405 words and figures following, to wit:

406 Articles of a treaty made and concluded at Fort Sully, in the  
 407 Territory of Dakota, by and between Newton Edmunds, gov-  
 408 ernor and ex-officio superintendent of Indian affairs of Dakota  
 409 Territory, Edward B. Taylor, superintendent of Indian affairs  
 410 for the northern superintendency, Major-General S. R. Curtis,  
 411 Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin  
 412 Guernsey, commissioners on the part of the United States,  
 413 duly appointed by the President, and the undersigned chiefs  
 414 and headmen of the Blackfeet band of Dakota or Sioux In-  
 415 dians.

416 ARTICLE 1. The Blackfeet band of Dakota or Sioux Indians,  
 417 represented in council, hereby acknowledge themselves to be  
 418 subject to the exclusive jurisdiction and authority of the United  
 419 States, and hereby obligate and bind themselves, individually  
 420 and collectively, not only to cease all hostilities against the per-  
 421 sons and property of its citizens, but to use their influence, and,  
 422 if necessary, physical force to prevent other bands of the Dakota  
 423 or Sioux, or other adjacent tribes, from making hostile demon-  
 424 strations against the Government of the United States, or its  
 425 people.

426 ARTICLE 2. Inasmuch as the Government of the United  
 427 States is desirous to arrest the effusion of blood between the  
 428 Indian tribes within its jurisdiction hitherto at war with each  
 429 other, the Blackfeet band of Dakota or Sioux, represented in  
 430 council, anxious to respect the wishes of the Government, hereby  
 431 agree and bind themselves to discontinue for the future all  
 432 attacks upon the persons or property of other tribes, unless first  
 433 assailed by them, and to use their influence to promote peace  
 434 everywhere in the region occupied or frequented by them.

435 ARTICLE 3. All controversies or differences arising between  
 436 the Blackfeet band of Dakota or Sioux, represented in council,  
 437 and other tribes of Indians, involving the question of peace or  
 438 war, shall be submitted for the arbitrament of the President, or  
 439 such person or persons as may be designated by him, and the

440 decision or award faithfully observed by the said band repre-  
441 sented in council.

442       ARTICLE 4. The said band, represented in council, shall with-  
443 draw from the routes overland, already established or hereafter  
444 to be established, through their country, and in consideration  
445 thereof the Government of the United States agree to pay to  
446 the said band the sum of seven thousand dollars annually, for  
447 twenty years, in such articles as the Secretary of the Interior  
448 may direct: *Provided*, That said band, so represented in council,  
449 shall faithfully conform to the requirements of this treaty.

450       ARTICLE 5. Any amendment or modification of this treaty  
451 by the Senate of the United States shall be considered final and  
452 binding upon the said band represented in council, as a part of  
453 this treaty, in the same manner as if it had been subsequently  
454 presented and agreed to by the chiefs and headmen of said  
455 nation.

456       Proclaimed 17 March, 1866.

457                                   BELANTSE-ETOA.

458       *Treaty with the Belantse-etoa or Minnetsaree Tribe.*

459       Whereas acts of hostility have been committed, by some  
460 restless men of the Belantse-etea or Minnetaree tribe of Indians,  
461 upon some of the citizens of the United States: Therefore, to  
462 put a stop to any further outrages of the sort, and to establish  
463 a more friendly understanding between the United States and the  
464 said Belantse-etea or Minnetaree tribe, the President of the  
465 United States, by Henry Atkinson, brigadier-general of the  
466 United States Army, and Major Benjamin O'Fallon, Indian  
467 agent, commissioners duly appointed and commissioned to treat  
468 with the Indian tribes beyond the Mississippi River, forgive the  
469 offences which have been committed, the chiefs and warriors  
470 having first made satisfactory explanations touching the same.  
471 And, for the purpose of removing all future cause of misunder-  
472 standing, as respects trade and friendly intercourse, between the  
473 parties, the above-named commissioners, on the part of the United  
474 States, and the undersigned chiefs and warriors of the Belantse-  
475 etea or Minnetaree tribe of Indians, on the part of said tribe,  
476 have made and entered into the following articles and condi-  
477 tions; which, when ratified by the President of the United  
478 States, by and with the advice and consent of the Senate, shall  
479 be binding to both parties, to wit:

480       ARTICLE 1. Henceforth there shall be a firm and lasting  
481 peace between the United States and the Belantse-etea or Min-  
482 netaree tribe of Indians; and a friendly intercourse shall imme-  
483 diately take place between the parties.

484 ARTICLE 2. It is admitted by the Belantse-etea or Minne-  
 485 taree tribe of Indians, that they reside within the territorial  
 486 limits of the United States, acknowledge their supremacy, and  
 487 claim their protection. The said tribe also admit the right of  
 488 the United States to regulate all trade and intercourse with  
 489 them.

490 ARTICLE 3. The United States agree to receive the Belantse-  
 491 etea or Minnetaree tribe of Indians into their friendship, and  
 492 under their protection, and to extend to them, from time to  
 493 time, such benefits and acts of kindness as may be convenient,  
 494 and seem just and proper to the President of the United States.

495 ARTICLE 4. All trade and intercourse with the Belantse-eta  
 496 or Minnetaree tribe shall be transacted at such place or places  
 497 as may be designated and pointed out, by the President of the  
 498 United States, through his agents; and none but American  
 499 citizens, duly authorized by the United States, shall be admitted  
 500 to trade or hold intercourse with said tribe of Indians.

501 ARTICLE 5. That the Belantse-eta or Minnetaree tribe may  
 502 beaccommodated with such articles of merchandize, &c., as their  
 503 necessities may demand, the United States agree to admit and  
 504 licence traders to hold intercourse with said tribe, under mild  
 505 and equitable regulations: in consideration of which, the Bel-  
 506 antse-eta or Minnetaree tribe bind themselves to extend protec-  
 507 tion to the persons and the property of the traders, and the per-  
 508 sons legally employed under them, whilst they remain within the  
 509 limits of their district of country. And the said Belantse-eta or  
 510 Minnetaree tribe further agree, that if any foreigner or other  
 511 person, not legally authorized by the United States, shall come  
 512 into their district of country, for the purposes of trade or other  
 513 views, they will apprehend such person or persons, and deliver  
 514 him or them to some United States superintendent or agent of  
 515 Indian affairs, or to the commandant of the nearest military  
 516 post, to be dealt with according to law. And they further agree  
 517 to give safe conduct to all persons who may be legally author-  
 518 ized by the United States to reside temporarily among them.

519 ARTICLE 6. That the friendship which is now established  
 520 between the United States and the Belantse eta or Minnetaree  
 521 tribe shall not be interrupted by the misconduct of individuals,  
 522 it is hereby agreed that for injuries done by individuals,  
 523 no private revenge or retaliation shall take place, but instead  
 524 thereof complaints shall be made by the party injured to the  
 525 superintendent or agent of Indian affairs, or other person ap-  
 526 pointed by the President; and it shall be the duty of the said  
 527 chiefs, upon complaint being made as aforesaid, to deliver up  
 528 the person or persons against whom the complaint is made, to  
 529 the end that he or they may be punished, agreeably to the laws

of the United States. And, in like manner, if any robbery, violence, or murder, shall be committed on any Indian or Indians belonging to said tribe, the person or persons so offending shall be tried, and, if found guilty, shall be punished in like manner as if the injury had been done to a white man. And it is agreed that the chiefs of the said Belantse-eta or Minnetaree tribe shall, to the utmost of their power, exert themselves to recover horses, or other property, which may be stolen or taken from any citizen or citizens of the United States by any individual or individuals of said tribe; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guarantee to any Indian or Indians of said tribe a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *Provided*, That the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Belantse-eta or Minnetaree tribe engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 7. And the chiefs and warriors as aforesaid promise and engage that their tribe will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians not in amity with the United States with guns, ammunition, or other implements of war.

Proclaimed Feb'y 6, 1826.

## CADDOS.

*Articles of a treaty made at the agency-house in the Caddo Nation and State of Louisiana, on the first day of July, in the year of our Lord one thousand eight hundred and thirty-five, between Jehiel Brooks, commissioner on the part of the United States, and the chiefs, head-men, and warriors of the Caddo Nation of Indians.*

ARTICLE 1. The chiefs, head-men, and warriors of the said nation agree to cede and relinquish to the United States all their land contained in the following boundaries, to wit:

Bounded on the west by the north and south line which separates the said United States from the republic of Mexico between the Sabine and Red Rivers, wheresoever the same shall be defined and acknowledged to be by the two governments. On the north and east by the Red River from the point where

572 the said north and south boundary-line shall intersect the Red  
 573 River, whether it be in the Territory of Arkansas or the State of  
 574 Louisiana, following the meanders of the said river down to its  
 575 junction with the Pascagoula Bayou. On the south by the  
 576 said Pascagoula Bayou to its junction with the Bayou Pierre,  
 577 by said bayou to its junction with Bayou Wallace, by said bayou  
 578 and Lake Wallace to the mouth of the Cypress Bayou, thence  
 579 up said bayou to the point of its intersection with the first-men-  
 580 tioned north and south line, following the meanders of the said  
 581 water-courses; but if the said Cypress Bayou be not clearly  
 582 definable, so far, then, from a point which shall be definable by a  
 583 line due west till it intersect the said first-mentioned north and  
 584 south boundary-line, be the contents of land within said bounda-  
 585 ries more or less.

586 ARTICLE 2. The said chiefs, head-men, and warriors of the  
 587 said nation do voluntarily relinquish their possession to the ter-  
 588 ritory of land aforesaid, and promise to remove at their own ex-  
 589 pense out of the boundaries of the United States and the terri-  
 590 tories belonging and appertaining thereto within the period of  
 591 one year from and after the signing of this treaty, and never  
 592 more return to live, settle, or establish themselves as a nation,  
 593 tribe, or community of people within the same.

594 ARTICLE 3. In consideration of the aforesaid cession, relin-  
 595 quishment, and removal, it is agreed the said United States shall  
 596 pay to the said nation of Caddo Indians the sums in goods,  
 597 horses, and money hereinafter mentioned, to wit:

598 Thirty thousand dollars, to be paid in goods and horses, as  
 599 agreed upon, to be delivered on the signing of this treaty.

600 Ten thousand dollars in money, to be paid within one year  
 601 from the first day of September next.

602 Ten thousand dollars per annum in money for the four years  
 603 next following, so as to make the whole sum paid and payable  
 604 eighty thousand dollars.

605 ARTICLE 4. It is further agreed that the said Caddo Nation  
 606 of Indians shall have authority to appoint an agent or attorney  
 607 in fact, resident within the United States, for the purpose of re-  
 608 ceiving for them from the said United States all of the annui-  
 609 ties stated in this treaty, as the same shall become due, to be  
 610 paid to their said agent or attorney in fact at such place or places  
 611 within the said United States as shall be agreed on between  
 612 him and the proper officer of the Government of the United  
 613 States.

614 ARTICLE 5. This treaty, after the same shall have been rati-  
 615 fied and confirmed by the President and Senate of the United  
 616 States, shall be binding on the contracting parties.

617 Agreeably to the stipulations in the third article of the treaty,

618 there have been purchased at the request of the Caddo Indians,  
 619 and delivered to them, goods and horses to the amount of thirty  
 620 thousand dollars.

621 As evidence of the purchase and delivery as aforesaid, under  
 622 the direction of the commissioner, and that the whole of the same  
 623 have been received by the said Indians, the said commissioner,  
 624 Jehiel Brooks, and the undersigned chiefs and head-men of the  
 625 whole Caddo Nation of Indians, have hereunto set their hands  
 626 and affixed their seals the third day of July, in the year of our  
 627 Lord one thousand eight hundred and thirty-five.

628 *Articles supplementary to the treaty made at the agency-house in the*  
 629 *Caddo Nation and State of Louisiana on the first day of July,*  
 630 *one thousand eight hundred and thirty-five, between Jehiel Brooks,*  
 631 *commissioner on the part of the United States, and the chiefs,*  
 632 *head-men, and warriors of the Caddo Nation of Indians, con-*  
 633 *cluded at the same place and on the same day between the said*  
 634 *commissioner on the part of the United States, and the chiefs,*  
 635 *head-men, and warriors of the said Nation of Indians, to wit :*

636 Whereas the said nation of Indians did, in the year one  
 637 thousand eight hundred and one, give to one François Grappe and  
 638 to his three sons then born and still living, named Jacques,  
 639 Dominique, and Belthazar, for reasons stated at the time and  
 640 repeated in a memorial which the said nation addressed to the  
 641 President of the United States in the month of January last,  
 642 one league of land to each, in accordance with the Spanish cus-  
 643 tom of granting land to individuals; that the chiefs and head-  
 644 men, with the knowledge and approbation of the whole Caddo  
 645 people, did go with the said François Grappe, accompanied by a  
 646 number of white men, who were invited by the said chiefs and  
 647 head-men to be present as witnesses, before the Spanish authority  
 648 at Natchitoches, and then and there did declare their wishes  
 649 touching the said donation of land to the said Grappe and his  
 650 three sons, and did request the same to be written out in form  
 651 and ratified and confirmed by the proper authorities agreeably  
 652 to law; and

653 Whereas Larkin Edwards has resided for many years to  
 654 the present time in the Caddo Nation—was a long time their true  
 655 and faithful interpreter, and though poor he has never sent the  
 656 red man away from his door hungry. He is now old and unable  
 657 to support himself by manual labor, and since his employment  
 658 as their interpreter has ceased, possesses no adequate means by  
 659 which to live: Now, therefore,

660 ARTICLE 1. It is agreed that the legal representatives of  
 661 the said François Grappe, deceased, and his three sons, Jacques,

662 Dominique, and Belthazar Grappe, shall have their right to the  
 663 said four leagues of land reserved to them and their heirs and  
 664 assigns forever. The said land to be taken out of the lands  
 665 ceded to the United States by the said Caddo Nation of Indians,  
 666 as expressed in the treaty to which this article is supplementary.  
 667 And the said four leagues of land shall be laid off in one body  
 668 in the southeast corner of their lands ceded as aforesaid, and  
 669 bounded by the Red River four leagues, and by the Pascagoula  
 670 Bayou one league, running back for quantity from each, so as to  
 671 contain four square leagues of land, in conformity with the  
 672 boundaries established and expressed in the original deed of gift  
 673 made by the said Caddo Nation of Indians to the said François  
 674 Grappe and his three sons, Jacques, Dominique, and Belthazar  
 675 Grappe.

676 ARTICLE 2. And it is further agreed that there shall be  
 677 reserved to Larkin Edwards, his heirs and assigns, forever, one  
 678 section of land, to be selected out of the lands ceded to the  
 679 United States by the said nation of Indians, as expressed in the  
 680 treaty to which this article is supplementary, in any part thereof  
 681 not otherwise appropriated by the provisions contained in these  
 682 supplementary articles.

683 ARTICLE 3. These supplementary articles, or either of them,  
 684 after the same shall have been ratified and confirmed by the  
 685 President and Senate of the United States, shall be binding on  
 686 the contracting parties, otherwise to be void and of no effect  
 687 upon the validity of the original treaty to which they are sup-  
 688 plementary.

689 Proclaimed February 2, 1836.

#### 690 CALAPOOIAS.

691 FRANKLIN PIERCE, President of the United States of America,  
 692 to all and singular to whom these presents shall come,  
 693 greeting:

694 Whereas a treaty was made and concluded at Dayton, Ore-  
 695 gon Territory, in the month of January, eighteen hundred and  
 696 fifty-five, by Joel Palmer, superintendent of Indian affairs, on  
 697 the part of the United States, and the chiefs of the confederated  
 698 bands of Indians residing in the Willamette Valley, which treaty  
 699 is in the words following, to wit:

700 Articles of agreement and convention made and concluded  
 701 at Dayton, Oregon Territory, by Joel Palmer, superintendent of  
 702 Indian affairs, on the part of the United States, and the follow-  
 703 ing-named chiefs of the confederated bands of Indians residing  
 704 in the Willamette Valley, they being duly authorized thereto by

705 their respective bands, to wit: Ki-a-kuts, Le Medecin, and Yat-  
 706 skaw, or Dave, chiefs of the Tualatin band of Calapooias;  
 707 Shap-h, or William, Shel-ke-ah, or David, and Cha-ah, or Jesse,  
 708 chiefs of the Yam Hill band; Dabo, or Jim, Sco-la-quit, or John,  
 709 and Yah-kow, or Kompetine, chiefs of the Che-luk-i-ma-uke  
 710 band; Ah-mo, or George, Himpher, or Hubbard, and Oh-no, or  
 711 Tim, chiefs of the Chep-en-a-pho or Marysville band; Ma-mah-  
 712 mo, or Charley Peter, Cha-che-clue, or Tom, and Quineflat, or  
 713 Ben, chiefs of the Chem-a-pho or Maddy band; Luck-a-ma-foo,  
 714 or Antoine, and Hoo-til, or Charley, chiefs of the Che-lam-e-la  
 715 or Long Tom band, all of the Calapooias; Qui-a-qua-ty, Yalkus,  
 716 and Kow-ka-ma, or Long Hair, chiefs of the Mo-lal-la band of  
 717 Mo-lal-las; Kiles, or Jim, and Kow-ah-tough, or John, chiefs of  
 718 the Calapooia band of Calapooias; Anta-quil-al-la, or John, and  
 719 Mequah, of the Winnefelly and Mohawk bands; Yack-a-tee, or  
 720 Sam, To-phor, or Jim Brown, and Hal-la-be, or Doctor, of the  
 721 Tekopa band; Pulk-tah, of the Chafan band of the Calapooia  
 722 tribe; Tum-walth and O-ban-a-hah, chiefs of the Wah-lal-la band  
 723 of Tum-waters; Watch-a-no, Te-ap-i-nick, and Wal-lah-pi-coto,  
 724 chiefs of the Clack-a-mas tribe; Lallak and Cuck-a-man-na, or  
 725 David, of the Clow-we-wal-la or Willamette Tum-water band;  
 726 Tow-ye-col-la, or Louis; Yelk-ma, or Jo, La-ham, or Tom, Joseph  
 727 Sanegertta, Pullican, Te-na, or Kiles, Pul-kup-li-ma, or John,  
 728 Sallaf, or Silas, Hoip-ke-nek, or Jack, Yepta, and Sat-in-voise, or  
 729 James, chiefs and head-men of the Santiam bands of Calapooias.

730 ARTICLE 1. The above-named confederated bands of Indians  
 731 cede to the United States all their right, title, and claim to all  
 732 and every part of the country included in the following bounda-  
 733 ries, to wit:

734 Commencing in the middle of the main channel of the Colum-  
 735 bia River, opposite the mouth of the first creek emptying into  
 736 said river from the south below Oak Point, thence south to the  
 737 first standard parallel north of the base-line in the Government  
 738 survey, thence west to the summit of the Coast Range of mount-  
 739 ains, thence southerly along the summit of said range to the  
 740 Calapooia Mountains, thence easterly along the summit of said  
 741 mountains to the summit of the Cascade Mountains, thence along  
 742 said summit northerly, to the middle of the Columbia River, at  
 743 the Cascade Falls, and thence down the middle of said river to  
 744 the place of beginning:

745 *Provided, however,* That said bands be permitted to remain  
 746 within the limits of the country ceded, and on such temporary  
 747 reserves as may be made for them by the superintendent of  
 748 Indian affairs, until a suitable district of country shall be desig-  
 749 nated for their permanent home, and proper improvements  
 750 made thereon: *And provided,* That the United States make

751 proper provision for the security of their persons and property  
 752 from the hostile attacks of Indians of other tribes and bands.  
 753 At which time, or when thereafter directed by the superintend-  
 754 ent of Indian affairs, or agent, said confederated bands engage  
 755 peaceably, and without expense to the United States other than  
 756 that provided for in this treaty, to vacate the country hereby  
 757 ceded, and remove to the district which shall be designated for  
 758 their permanent occupancy.

759 ARTICLE 2. In consideration of, and payment for, the  
 760 country herein described, the United States agree to pay to the  
 761 bands and tribes of Indians claiming territory and residing in  
 762 said country, the several sums of money following, to wit :

763 Ten thousand dollars per annum for the first five years,  
 764 commencing on the first day of September, 1855.

765 Eight thousand dollars per annum for the term of five years  
 766 next succeeding the first five.

767 Six thousand five hundred dollars per annum for the term  
 768 of five years next succeeding the second five.

769 Five thousand five hundred dollars per annum for the term  
 770 of five years next succeeding the third five.

771 All of which several sums of money shall be expended for  
 772 the use and benefit of the confederated bands, under the direc-  
 773 tion of the President of the United States, who may, from time  
 774 to time, at his discretion, determine what proportion thereof  
 775 shall be expended for such objects as in his judgment will pro-  
 776 mote their well-being, and advance them in civilization, for their  
 777 moral improvement and education, for buildings, opening and  
 778 fencing farms, breaking land, providing stock, agricultural im-  
 779 plements, seeds, &c.; for clothing, provisions, and tools; for  
 780 medical purposes; providing mechanics and farmers, and for  
 781 arms and ammunition.

782 The United States agree to pay said Indians the additional  
 783 sum of fifty thousand dollars, a portion whereof shall be ex-  
 784 pended for such articles as the superintendent of Indian affairs  
 785 shall furnish the Indians, as soon as practicable after the sign-  
 786 ing of this treaty; and in providing, after the ratification there-  
 787 of, and while the Indians shall reside on the temporary reserves  
 788 that may be assigned them, horses, oxen, and other stock,  
 789 wagons, agricultural implements, clothing, and provisions, as  
 790 the President may direct; and for erecting on the tract that may  
 791 be selected as their permanent homes, mills, shops, school-houses,  
 792 a hospital, and other necessary buildings, and making improve-  
 793 ments; for seeds, stock, and farming operations thereon; for  
 794 paying for the permanent improvements of settlers, should any  
 795 such be on said tract at the time of its selection; to pay the  
 796 expenses of the removal of the Indians thereto, and in provid-

ing for their subsistence thereon for the first year after their removal: *Provided, however,* That if any band or bands of Indians, residing on or claiming any portion or portions of the country described in article first, shall not accede to the terms of this treaty, then the bands becoming parties hereunto agree to receive such part of the several annual and other payments herein named, as a consideration for the entire country described as aforesaid, as shall be in the proportion that their aggregate number may bear to the whole number of Indians residing in and claiming the entire country aforesaid, as consideration and payment in full for the tracts in said country claimed by them: *And provided,* Any of the bands becoming parties to this treaty establish a legitimate claim to any portion of the country north of the Columbia River, that the amount to which they may be entitled as a consideration for such country, in any treaties hereafter entered into with the United States, shall be added to the annuities herein provided for.

ARTICLE 3. In addition to the considerations specified, the United States agree to provide for the employment, for the term of five years from and after the removal of said Indians to their permanent reserve, of a physician, a school-teacher, a blacksmith, and a superintendent of farming operations.

ARTICLE 4. The President may, from time to time, at his discretion, cause the whole, or such portion as he may think proper, of the tract that may hereafter be set apart as the permanent home of these Indians, to be surveyed into lots, and assign them to such Indians of the confederated bands as may wish to enjoy the privilege, and locate thereon permanently; to a single person, over twenty-one years of age, twenty acres; to a family of two persons, forty acres; to a family of three, and not exceeding five persons, fifty acres; to a family of six persons, and not exceeding ten, eighty acres; and to each family over ten in number, twenty acres for each additional three members. And the President may provide such rules and regulations as will secure to the family, in case of the death of the head thereof, the possession and enjoyment of such permanent home and the improvements thereon; and he may, at any time, at his discretion, after such person or family has made location on the land assigned as a permanent home, issue a patent to such person or family, for such assigned land, conditioned that the tract shall not be aliened or leased for a longer time than two years, and shall be exempt from levy, sale, or forfeiture; which conditions shall continue in force until a State constitution, embracing such lands within its boundaries, shall have been formed, and the legislature of the State shall remove the restrictions: *Provided, however,* That no state legislature shall

843 remove the restrictions herein provided for, without the consent  
 844 of Congress. And if any such family shall at any time neglect  
 845 or refuse to occupy or till a portion of the land assigned, and  
 846 on which they have located, or shall rove from place to place,  
 847 the President may, if the patent shall have been issued, revoke  
 848 the same; or, if not issued, cancel the assignment; and may  
 849 also withhold from such person or family their proportion of the  
 850 annuities or other moneys due them, until they shall have re-  
 851 turned to such permanent home, and resume the pursuits of in-  
 852 dustry; and in default of their return, the tract may be declared  
 853 abandoned, and thereafter assigned to some other person or  
 854 family of the Indians residing on the reserve.

855 ARTICLE 5. The annuities of the Indians shall not be taken  
 856 to pay the debts of individuals.

857 ARTICLE 6. The confederated bands acknowledge their de-  
 858 pendence on the government of the United States, and promise  
 859 to be friendly with all the citizens thereof, and pledge them-  
 860 selves to commit no depredations on the property of such citi-  
 861 zens. And should any one or more of the Indians violate this  
 862 pledge, and the fact be satisfactorily proven before the agent,  
 863 the property taken shall be returned, or in default thereof, or if  
 864 injured or destroyed, compensation may be made by the Govern-  
 865 ment out of their annuities. Nor will they make war on any  
 866 other band or tribe of Indians, except in self-defence, but will  
 867 submit all matters of difference between them and other Indians  
 868 to the Government of the United States, or its agent, for de-  
 869 cision, and abide thereby. And if any of said Indians commit  
 870 any depredations on any other Indians, the same rule shall pre-  
 871 vail as that prescribed in this article in case of depredations  
 872 against citizens. Said Indians further engage to submit to and  
 873 observe all laws, rules, and regulations which may be prescribed  
 874 by the United States for the government of said Indians.

875 ARTICLE. 7. In order to prevent the evils of intemperance  
 876 among said Indians, it is hereby provided that any one of them  
 877 who shall drink liquor, or procure it for other Indians to drink,  
 878 may have his or her proportion of the annuities withheld from  
 879 him or her for such time as the President may determine.

880 ARTICLE 8. The said confederated bands agree that when a  
 881 permanent reserve shall be assigned them, all roads, highways,  
 882 and railroads, demanded at any time by the public convenience,  
 883 shall have the right of way therein, a just compensation being  
 884 made therefor.

885 ARTICLE 9. This treaty shall be obligatory on the contract-  
 886 ing parties as soon as the same shall be ratified by the President  
 887 and Senate of the United States.

888 Proclaimed April 10, 1855.

890 FRANKLIN PIERCE, President of the United States of America,  
891 to all persons to whom these presents shall come, greeting:

892 Whereas a treaty was made and concluded, at the council-  
893 ground, opposite the mouth of Applegate Creek, on Rogue River,  
894 in the Territory of Oregon, on the eighteenth day of November,  
895 eighteen hundred and fifty-four, between the United States and  
896 the Chasta and other tribes of Indians, which treaty is in the  
897 words following, to wit:

898 Articles of a convention and agreement made and concluded  
899 at the council-ground, opposite the mouth of Applegate Creek,  
900 on Rogue River, in the Territory of Oregon, on the eighteenth  
901 day of November, one thousand eight hundred and fifty-four, by  
902 Joel Palmer, superintendent of Indian affairs, on the part of  
903 the United States, and the chiefs and head-men of the Quil-si-  
904 eton and Na-hel-ta bands, of the Chasta tribe of Indians, the  
905 Cow-nan-ti-co, Sa-cher-i-ton, and Na-al-ye bands of Scotons, and  
906 the Grave Creek band of Umpquas, to wit, Jes-tul-tut, or Little  
907 Chief, Ko-ne-che-quot, or Bill, Se-sel-che-tel, or Salmon Fisher,  
908 Kul-ki-am-i-na, or Bush-head, Te-po-kon-ta, or Sam, and Jo, they  
909 being duly authorized thereto by said united bands.

910 ARTICLE 1. The aforesaid united bands cede to the United  
911 States all their country, bounded as follows:

912 Commencing at a point in the middle of Rogue River, one  
913 mile below the mouth of Applegate Creek; thence northerly, on  
914 the western boundary of the country heretofore purchased of  
915 the Rogue River tribe by the United States, to the head-waters  
916 of Jump-Off-Jo Creek; thence westerly to the extreme north-  
917 eastern limit of the country purchased of the Cow Creek band  
918 of Umpquas; thence along that boundary to its extreme south-  
919 western limit; thence due west to a point from which a line run-  
920 ning due south would cross Rogue River, midway between the  
921 mouth of Grave Creek and the great bend of Rogue River;  
922 thence south to the southern boundary of Oregon; thence east  
923 along said boundary to the summit of the main ridge of the  
924 Siskiyou Mountains, or until this line reaches the boundary of  
925 the country purchased of the Rogue River tribe; thence north-  
926 erly along the western boundary of said purchase to the place of  
927 beginning.

928 ARTICLE 2. The said united bands agree that, as soon af-  
929 ter the ratification of this convention as practicable, they will  
930 remove to such portion of the Table Rock reserve as may be as-  
931 signed them by the superintendent of Indian affairs or agent,  
932 or to whatsoever other reserve the President of the United  
933 States may at any time hereafter direct.

934 ARTICLE 3. In consideration of and payment for the coun-  
 935 try herein ceded, the United States agree to pay to the said  
 936 united bands the sum of two thousand dollars annually for fif-  
 937 teen years, from and after the first day of September, one thou-  
 938 sand eight hundred and fifty-five, which annuities shall be added  
 939 to those secured to the Rogue River tribe by the treaty of the  
 940 16th September, 1853, and the amount shared by the members  
 941 of the united bands and of the Rogue River tribe, jointly and  
 942 alike; said annuities to be expended for the use and benefit of  
 943 said bands and tribe in such manner as the President may from  
 944 time to time prescribe; for provisions, clothing, and merchan-  
 945 dise; for buildings, opening and fencing farms, breaking land,  
 946 providing stock, agricultural implements, tools, seeds, and such  
 947 other objects as will in his judgment promote the comfort and  
 948 advance the prosperity and civilization of said Indians. The  
 949 United States also agree to appropriate the additional sum of  
 950 five thousand dollars, for the payment of the claims of persons  
 951 whose property has been stolen or destroyed by any of the said  
 952 united bands of Indians since the first day of January, 1849;  
 953 such claims to be audited and adjusted in such manner as the  
 954 President may prescribe.

955 ARTICLE 4. When said united bands shall be required to  
 956 remove to the Table Rock reserve or elsewhere, as the President  
 957 may direct, the further sum of six thousand five hundred dol-  
 958 lars shall be expended by the United States for provisions to  
 959 aid in their subsistence during the first year they shall reside  
 960 thereon: for the erecting of necessary buildings, and the break-  
 961 ing and fencing of fifty acres of land, and providing seed to  
 962 plant the same, for their use and benefit, in common with the  
 963 other Indians on the reserve.

964 ARTICLE 5. The United States engage that the following  
 965 provisions, for the use and benefit of all Indians residing on the  
 966 reserve, shall be made:

967 An experienced farmer shall be employed to aid and in-  
 968 struct the Indians in agriculture for the term of fifteen years.

969 Two blacksmith-shops shall be erected at convenient points  
 970 on the reserve, and furnished with tools and the necessary stock,  
 971 and skilful smiths employed for the same for five years.

972 A hospital shall be erected, and proper provision made for  
 973 medical purposes, and the care of the sick for ten years.

974 School-houses shall be erected, and qualified teachers em-  
 975 ployed to instruct children on the reserve, and books and sta-  
 976 tionery furnished for fifteen years.

977 All of which provisions shall be controlled by such laws,  
 978 rules, or regulations as Congress may enact or the President  
 979 prescribe.

980 ARTICLE 6. The President may, from time to time, at his  
 981 discretion, direct the surveying of a part or all of the agricultural  
 982 lands on said reserve, divide the same into small farms of from  
 983 twenty to eighty acres, according to the number of persons in a  
 984 family, and assign them to such Indians as are willing to avail  
 985 themselves of the privilege and locate thereon as a permanent  
 986 home, and to grant them a patent therefor under such laws and  
 987 regulations as may hereafter be enacted or prescribed.

988 ARTICLE 7. The annuities of the Indians shall not be taken  
 989 to pay the debts of individuals.

990 ARTICLE 8. The said united bands acknowledge themselves  
 991 subject to the Government of the United States, and engage to  
 992 live in amity with the citizens thereof, and commit no depreda-  
 993 tions on the property of said citizens; and should any Indian or  
 994 Indians violate this pledge, and the fact be satisfactorily proven,  
 995 the property shall be returned, or if not returned, or if injured or  
 996 destroyed, compensation may be made therefor out of their annu-  
 997 ties. They also pledge themselves to live peaceably with one  
 998 another, and with other Indians, to abstain from war and private  
 999 acts of revenge, and to submit all matters of difference between  
 1000 themselves and Indians of other tribes and bands to the decision  
 1001 of the United States or the agent, and to abide thereby. It is also  
 1002 agreed that if any individual shall be found guilty of bringing  
 1003 liquor into their country, or drinking the same, his or her  
 1004 annuity may be withheld during the pleasure of the President.

1005 ARTICLE 9. This convention shall be obligatory on the con-  
 1006 tracting parties from and after its ratification by the President  
 1007 and Senate of the United States.

1008 Proclaimed April 10, 1855.

#### 1009 CHEROKEES.

1010 *Articles concluded at Hopewell, on the Kewee, between Benjamin*  
 1011 *Hauckins, Andrew Pickens, Joseph Martin, and Lachlan*  
 1012 *McIntosh, commissioners plenipotentiary of the United States*  
 1013 *of America, of the one part, and the head-men and warriors of*  
 1014 *all the Cherokees of the other.*

1015 The commissioners plenipotentiary of the United States in  
 1016 Congress assembled, give peace to all the Cherokees, and re-  
 1017 ceive them into the favour and protection of the United States of  
 1018 America, on the following conditions :

1019 ARTICLE 1. The head-men and warriors of all the Cherokees  
 1020 shall restore all the prisoners, citizens of the United States, or  
 1021 subjects of their allies, to their entire liberty : They shall also  
 1022 restore all the negroes, and all other property taken during the

late war from the citizens, to such person, and at such time and place as the commissioners shall appoint.

ARTICLE 2. The commissioners of the United States in Congress assembled shall restore all the prisoners taken from the Indians, during the late war, to the head-men and warriors of the Cherokees, as early as is practicable.

ARTICLE 3. The said Indians, for themselves and their respective tribes and towns, do acknowledge all the Cherokees to be under the protection of the United States of America, and of no other sovereign whosever.

ARTICLE 4. The boundary allotted to the Cherokees for their hunting-grounds between the said Indians and the citizens of the United States, within the limits of the United States of America, is, and shall be the following, viz: Beginning at the mouth of Duck River, on the Tennessee; thence running north-east to the ridge dividing the waters running into Cumberland from those running into the Tennessee; thence eastwardly along the said ridge to a northeast line to be run, which shall strike the river Cumberland forty miles above Nashville; thence along the said line to the river; thence up the said river to the ford where the Kentucky road crosses the river; thence to Campbell's line, near Cumberland Gap; thence to the mouth of Claud's Creek on Holstein; thence to the Chimney-Top Mountain; thence to Camp-Creek, near the mouth of Big Limestone, on Nolichucky; thence a southerly course six miles to a mountain; thence south to the North Carolina line; thence to the South Carolina Indian boundary, and along the same southwest over the top of the Oconee Mountain till it shall strike Tugaloo River; thence a direct line to the top of the Currohee Mountain; thence to the head of the south fork of Oconee River.

ARTICLE 5. If any citizen of the United States, or other person not being an Indian, shall attempt to settle on any of the lands westward or southward of the said boundary which are hereby allotted to the Indians for their hunting grounds, or having already settled and will not remove from the same within six months after the ratification of this treaty, such person shall forfeit the protection of the United States, and the Indians may punish him or not as they please: *Provided nevertheless*, That this article shall not extend to the people settled between the fork of French Broad and Holstein Rivers, whose particular situation shall be transmitted to the United States in Congress assembled for their decision thereon, which the Indians agree to abide by.

ARTICLE 6. If any Indian or Indians, or person residing among them, or who shall take refuge in their nation, shall commit a robbery, or murder, or other capital crime, on any cit-

izen of the United States, or person under their protection, the nation, or the tribe to which such offender or offenders may belong, shall be bound to deliver him or them up to be punished according to the ordinances of the United States: *Provided*, That the punishment shall not be greater than if the robbery or murder, or other capital crime, had been committed by a citizen on a citizen.

ARTICLE 7. If any citizen of the United States, or person under their protection, shall commit a robbery or murder, or other capital crime, on any Indian, such offender or offenders shall be punished in the same manner as if the murder or robbery, or other capital crime, had been committed on a citizen of the United States; and the punishment shall be in presence of some of the Cherokees, if any shall attend at the time and place; and that they may have an opportunity so to do, due notice of the time of such intended punishment shall be sent to some one of the tribes.

ARTICLE 8. It is understood that the punishment of the innocent, under the idea of retaliation, is unjust, and shall not be practised on either side, except where there is a manifest violation of this treaty; and then it shall be preceded first by a demand of justice, and if refused, then by a declaration of hostilities.

ARTICLE 9. For the benefit and comfort of the Indians, and for the prevention of injuries or oppressions on the part of the citizens or Indians, the United States in Congress assembled shall have the sole and exclusive right of regulating the trade with the Indians, and managing all their affairs in such manner as they think proper.

ARTICLE 10. Until the pleasure of Congress be known respecting the ninth article, all traders, citizens of the United States, shall have liberty to go to any of the tribes or towns of the Cherokees to trade with them, and they shall be protected in their persons and property, and kindly treated.

ARTICLE 11. The said Indians shall give notice to the citizens of the United States of any designs which they may know or suspect to be formed in any neighbouring tribe, or by any person whosoever, against the peace, trade, or interest of the United States.

ARTICLE 12. That the Indians may have full confidence in the justice of the United States respecting their interests, they shall have the right to send a deputy of their choice, whenever they think fit, to Congress.

ARTICLE 13. The hatchet shall be forever buried, and the peace given by the United States, and friendship re-established between the said States on the one part, and all the Cherokees

1115 on the other, shall be universal; and the contracting parties  
 1116 shall use their utmost endeavours to maintain the peace given as  
 1117 aforesaid, and friendship re-established.

1118       Concluded November 22, 1785.

1119 *A treaty of peace and friendship made and concluded between the*  
 1120 *President of the United States of America, on the part and*  
 1121 *behalf of the said States, and the undersigned chiefs and war-*  
 1122 *riors of the Cherokee Nation of Indians, on the part and be-*  
 1123 *half of the said nation.*

1124       The parties being desirous of establishing permanent peace  
 1125 and friendship between the United States and the said Cherokee  
 1126 Nation, and the citizens and members thereof, and to remove  
 1127 the causes of war, by ascertaining their limits and making other  
 1128 necessary, just, and friendly arrangements: The President of  
 1129 the United States, by William Blount, governor of the territory  
 1130 of the United States of America south of the river Ohio, and  
 1131 superintendent of Indian affairs for the southern district, who  
 1132 is vested with full powers for these purposes, by and with the  
 1133 advice and consent of the Senate of the United States: And  
 1134 the Cherokee Nation, by the undersigned chiefs and warriors  
 1135 representing the said nation, have agreed to the following arti-  
 1136 cles, namely:

1137       ARTICLE 1. There shall be perpetual peace and friendship  
 1138 between all the citizens of the United States of America, and  
 1139 all the individuals composing the whole Cherokee Nation of In-  
 1140 dians.

1141       ARTICLE 2. The undersigned chiefs and warriors, for them-  
 1142 selves and all parts of the Cherokee Nation, do acknowledge  
 1143 themselves and the said Cherokee Nation to be under the pro-  
 1144 tection of the United States of America, and of no other sov-  
 1145 ereign whosoever; and they also stipulate that the said Chero-  
 1146 kee Nation will not hold any treaty with any foreign power, in-  
 1147 dividual State, or with individuals of any State.

1148       ARTICLE 3. The Cherokee Nation shall deliver to the gov-  
 1149 ernor of the territory of the United States of America south  
 1150 of the river Ohio, on or before the 1st day of April next, at this  
 1151 place, all persons who are now prisoners, captured by them from  
 1152 any part of the United States: And the United States shall on  
 1153 or before the same day, and at the same place, restore to the  
 1154 Cherokees all the prisoners now in captivity which the citizens  
 1155 of the United States have captured from them.

1156       ARTICLE 4. The boundary between the citizens of the  
 1157 United States and the Cherokee Nation is and shall be as fol-  
 1158 lows: Beginning at the top of the Currahee Mountain, where

1159 the Creek line passes it; thence a direct line to Tugelo River  
 1160 thence northeast to the Occunna Mountain, and over the same  
 1161 along the South Carolina Indian boundary to the North Caro-  
 1162 lina boundary; thence north to a point from which a line is to  
 1163 be extended to the river Clinch, that shall pass to Holston at  
 1164 the ridge which divides the waters running into Little River  
 1165 from those running into the Tennessee; thence up the river  
 1166 Clinch to Campbell's line, and along the same to the top of  
 1167 Cumberland Mountain; thence a direct line to the Cumberland  
 1168 River where the Kentucky road crosses it; thence down the  
 1169 Cumberland River to a point from which a southwest line will  
 1170 strike the ridge which divides the waters of Cumberland from  
 1171 those of Duck River, forty miles above Nashville; thence down  
 1172 the said ridge to a point from whence a southwest line will  
 1173 strike the mouth of Duck River.

1174 And in order to preclude forever all disputes relative to the  
 1175 said boundary, the same shall be ascertained and marked  
 1176 plainly by three persons appointed on the part of the United  
 1177 States, and three Cherokees on the part of their nation.

1178 And in order to extinguish forever all claims of the Chero-  
 1179 kee Nation, or any part thereof, to any of the land lying to the  
 1180 right of the line above described, beginning as aforesaid at the  
 1181 Currahee Mountain, it is hereby agreed, that in addition to the  
 1182 consideration heretofore made for the said land, the United  
 1183 States will cause certain valuable goods to be immediately de-  
 1184 livered to the undersigned chiefs and warriors, for the use of  
 1185 their nation; and the said United States will also cause the sum  
 1186 of one thousand dollars to be paid annually to the said Cherokee  
 1187 Nation. And the undersigned chiefs and warriors do hereby  
 1188 for themselves and the whole Cherokee Nation, their heirs and  
 1189 descendants, for the considerations above-mentioned, release,  
 1190 quit-claim, relinquish, and cede, all the land to the right of the  
 1191 line described, and beginning as aforesaid.

1192 ARTICLE 5. It is stipulated and agreed that the citizens and  
 1193 inhabitants of the United States shall have a free and unmolested  
 1194 use of a road from Washington district to Mero district, and of  
 1195 the navigation of the Tennessee River.

1196 ARTICLE 6. It is agreed on the part of the Cherokees that  
 1197 the United States shall have the sole and exclusive right of  
 1198 regulating their trade.

1199 ARTICLE 7. The United States solemnly guarantee to the  
 1200 Cherokee Nation all their lands not hereby ceded.

1201 ARTICLE 8. If any citizen of the United States, or other  
 1202 person not being an Indian, shall settle on any of the Cherokees'  
 1203 lands, such person shall forfeit the protection of the United

1204 States, and the Cherokees may punish him or not, as they  
1205 please.

1206 ARTICLE 9. No citizen or inhabitant of the United States  
1207 shall attempt to hunt or destroy the game on the lands of the  
1208 Cherokees; nor shall any citizen or inhabitant go into the Cher-  
1209 okee country without a passport first obtained from the governor  
1210 of some one of the United States, or territorial districts, or such  
1211 other person as the President of the United States may from  
1212 time to time authorize to grant the same.

1213 ARTICLE 10. If any Cherokee Indian or Indians, or person  
1214 residing among them, or who shall take refuge in their nation,  
1215 shall steal a horse from, or commit a robbery or murder, or other  
1216 capital crime, on any citizens or inhabitants of the United States,  
1217 the Cherokee Nation shall be bound to deliver him or them up,  
1218 to be punished according to the laws of the United States.

1219 ARTICLE 11. If any citizen or inhabitant of the United  
1220 States, or of either of the territorial districts of the United  
1221 States, shall go into any town, settlement, or territory belonging  
1222 to the Cherokees, and shall there commit any crime upon, or  
1223 trespass against the person or property of any peaceable and  
1224 friendly Indian or Indians which, if committed within the juris-  
1225 diction of any State, or within the jurisdiction of either of the  
1226 said districts, against a citizen or white inhabitant thereof, would  
1227 be punishable by the laws of such State or district, such offender  
1228 or offenders shall be subject to the same punishment, and shall  
1229 be proceeded against in the same manner as if the offence had  
1230 been committed within the jurisdiction of the State or district  
1231 to which he or they may belong, against a citizen or white inhab-  
1232 itant thereof.

1233 ARTICLE 12. In case of violence on the persons or property  
1234 of the individuals of either party, neither retaliation or reprisal  
1235 shall be committed by the other, until satisfaction shall have  
1236 been demanded of the party of which the aggressor is, and shall  
1237 have been refused.

1238 ARTICLE 13. The Cherokees shall give notice to the citizens  
1239 of the United States of any designs which they may know or  
1240 suspect to be formed in any neighbouring tribe, or by any person  
1241 whatever, against the peace and interest of the United States.

1242 ARTICLE 14. That the Cherokee Nation may be led to a  
1243 greater degree of civilization, and to become herdsmen and cul-  
1244 tivators, instead of remaining in a state of hunters, the United  
1245 States will from time to time furnish gratuitously the said nation  
1246 with useful implements of husbandry; and further to assist the  
1247 said nation in so desirable a pursuit, and at the same time to  
1248 establish a certain mode of communication, the United States  
1249 will send such and so many persons to reside in said nation as

1250 they may judge proper, not exceeding four in number, who shall  
 1251 qualify themselves to act as interpreters. These persons shall  
 1252 have lands assigned by the Cherokees for cultivation for them-  
 1253 selves and their successors in office; but they shall be precluded  
 1254 exercising any kind of traffic.

1255 ARTICLE 15. All animosities for past grievances shall  
 1256 henceforth cease, and the contracting parties will carry the fore-  
 1257 going treaty into full execution with all good faith and sin-  
 1258 cerity.

1259 ARTICLE 16. This treaty shall take effect and be obligatory  
 1260 on the contracting parties as soon as the same shall have been  
 1261 ratified by the President of the United States, with the advice  
 1262 and consent of the Senate of the United States.

1263 *Additional article to the treaty made between the United States*  
 1264 *and the Cherokees on the second day of July, one thousand*  
 1265 *seven hundred and ninety-one.*

1266 It is hereby mutually agreed between Henry Knox, Secre-  
 1267 tary of War, duly authorized thereto in behalf of the United  
 1268 States, on the one part, and the undersigned chiefs and warriors,  
 1269 in behalf of themselves and the Cherokee Nation, on the other  
 1270 part, that the following article shall be added to and considered  
 1271 as part of the treaty made between the United States and the  
 1272 said Cherokee Nation on the second day of July, one thousand  
 1273 seven hundred and ninety-one, to wit:

1274 The sum to be paid annually by the United States to the  
 1275 Cherokee Nation of Indians, in consideration of the relinquish-  
 1276 ment of land, as stated in the treaty made with them on the sec-  
 1277 ond day of July, one thousand seven hundred and ninety-one,  
 1278 shall be one thousand five hundred dollars instead of one thou-  
 1279 sand dollars, mentioned in the said treaty.

1280 Proclaimed February 7, 1792.

1281 *Treaty with the Cherokee Indians.*

1282 Whereas the treaty made and concluded on Holston River,  
 1283 on the second day of July, one thousand seven hundred and  
 1284 ninety-one, between the United States of America and the Cher-  
 1285 okee Nation of Indians, has not been fully carried into execution  
 1286 by reason of some misunderstandings which have arisen:

1287 ARTICLE 1. And whereas the undersigned Henry Knox,  
 1288 Secretary for the Department of War, being authorised thereto  
 1289 by the President of the United States, in behalf of the said  
 1290 United States, and the undersigned chiefs and warriors, in their  
 1291 own names, and in behalf of the whole Cherokee Nation, are

1292 desirous of re-establishing peace and friendship between the said  
 1293 parties in a permanent manner, do hereby declare that the said  
 1294 treaty of Holston is, to all intents and purposes, in full force and  
 1295 binding upon the said parties, as well in respect to the boundaries  
 1296 therein mentioned as in all other respects whatever.

1297 ARTICLE 2. It is hereby stipulated that the boundaries  
 1298 mentioned in the fourth article of the said treaty shall be  
 1299 actually ascertained and marked in the manner prescribed by  
 1300 the said article, whenever the Cherokee Nation shall have ninety  
 1301 days' notice of the time and place at which the commissioners of  
 1302 the United States intend to commence their operation.

1303 ARTICLE 3. The United States, to evince their justice by  
 1304 amply compensating the said Cherokee Nation of Indians for all  
 1305 relinquishments of land made either by the treaty of Hopewell  
 1306 upon the Keowee River, concluded on the twenty-eighth of No-  
 1307 vember, one thousand seven hundred and eighty-five, or the  
 1308 aforesaid treaty made upon the Holston River, on the second of  
 1309 July, one thousand seven hundred and ninety-one, do hereby  
 1310 stipulate, in lieu of all former sums to be paid annually, to fur-  
 1311 nish the Cherokee Indians with goods suitable for their use, to  
 1312 the amount of five thousand dollars yearly.

1313 ARTICLE 4. And the said Cherokee Nation, in order to  
 1314 evince the sincerity of their intentions in future, to prevent the  
 1315 practice of stealing horses, attended with the most pernicious  
 1316 consequences to the lives and peace of both parties, do hereby  
 1317 agree, that for every horse which shall be stolen from the white  
 1318 inhabitants by any Cherokee Indians, and not returned within  
 1319 three months, that the sum of fifty dollars shall be deducted  
 1320 from the said annuity of five thousand dollars.

1321 ARTICLE 5. The articles now stipulated will be considered  
 1322 as permanent additions to the treaty of Holston, as soon as they  
 1323 shall have been ratified by the President of the United States  
 1324 and the Senate of the United States.

1325 Proclaimed January 21, 1795.

1326 *Articles of a treaty between the United States of America and the*  
 1327 *Cherokee Indians.*

1328 Whereas the treaty made and concluded on Holston River,  
 1329 on the second day of July, in the year one thousand seven hun-  
 1330 dred and ninety-one, between the United States of America and  
 1331 the Cherokee Nation of Indians, had not been carried into exe-  
 1332 cution for some time thereafter, by reason of some misunder-  
 1333 standings which had arisen; and

1334 Whereas in order to remove such misunderstandings, and

1335 to provide for carrying the said treaty into effect, and for re-  
 1336 establishing more fully the peace and friendship between the  
 1337 parties, another treaty was held, made, and concluded by and  
 1338 between them, at Philadelphia, the twenty-sixth day of June, in  
 1339 the year one thousand seven hundred and ninety-four; in which,  
 1340 among other things, it was stipulated that the boundaries  
 1341 mentioned in the fourth article of the said treaty of Holston  
 1342 should be actually ascertained and marked in the manner pre-  
 1343 scribed by the said article, whenever the Cherokee Nation should  
 1344 have ninety days' notice of the time and place at which the com-  
 1345 missioners of the United States intended to commence their  
 1346 operation; and

1347 Whereas further delays in carrying the said fourth article into  
 1348 complete effect did take place, so that the boundaries mentioned  
 1349 and described therein were not regularly ascertained and marked  
 1350 until the latter part of the year one thousand seven hundred and  
 1351 ninety-seven; before which time, and for want of knowing the di-  
 1352 rect course of the said boundary, divers settlements were made,  
 1353 by divers citizens of the United States, upon the Indian lands over  
 1354 and beyond the boundaries so mentioned and described in the  
 1355 said article, and contrary to the intention of the said treaties;  
 1356 but which settlers were removed from the said Indian lands, by  
 1357 authority of the United States, as soon after the boundaries had  
 1358 been so lawfully ascertained and marked as the nature of the  
 1359 case had admitted; and

1360 Whereas for the purpose of doing justice to the Cherokee  
 1361 Nation of Indians, and remedying inconveniencies arising to  
 1362 citizens of the United States from the adjustment of the bound-  
 1363 ary-line between the lands of the Cherokees and those  
 1364 of the United States, or the citizens thereof, or from any other  
 1365 cause in relation to the Cherokees; and in order to promote  
 1366 the interests and safety of the said States, and the citizens  
 1367 thereof, the President of the United States, by and with the  
 1368 advice and consent of the Senate thereof, hath appointed George  
 1369 Walton, of Georgia, and the President of the United States hath  
 1370 also appointed Lieutenant-Colonel Thomas Butler, commanding  
 1371 the troops of the United States in the State of Tennessee, to be  
 1372 commissioners for the purpose aforesaid; and who on the part  
 1373 of the United States, and the Cherokee Nation by the under-  
 1374 signed chiefs and warriors, representing the said nation, have  
 1375 agreed to the following articles, namely:

1376 ARTICLE 1. The peace and friendship subsisting between  
 1377 the United States and the Cherokee people are hereby renewed,  
 1378 continued, and declared perpetual.

1379 ARTICLE 2. The treaties subsisting between the present  
 1380 contracting parties are acknowledged to be of full and operat-

1381 ing force ; together with the construction and usage under their  
1382 respective articles, and so to continue.

1383 ARTICLE 3. The limits and boundaries of the Cherokee  
1384 Nation, as stipulated and marked by the existing treaties between  
1385 the parties, shall be and remain the same, where not altered by  
1386 the present treaty.

1387 ARTICLE 4. In acknowledgment for the protection of the  
1388 United States, and for the considerations hereinafter expressed  
1389 and contained, the Cherokee Nation agree, and do hereby relin-  
1390 quish and cede to the United States all the lands within the fol-  
1391 lowing points and lines, viz: From a point on the Tennessee  
1392 River, below Tellico block-house, called the Wild-cat Rock, in a  
1393 direct line to the Militia spring, near the Maryville road leading  
1394 from Tellico. From the said spring to the Chill-howie Mountain,  
1395 by a line so to be run as will leave all the farms on Nine-mile  
1396 Creek to the northward and eastward of it ; and to be continued  
1397 along Chill-howie Mountain, until it strikes Hawkins's line.  
1398 Thence along the said line to the great Iron Mountain ; and from  
1399 the top of which a line to be continued in a southeastwardly  
1400 course to where the most southwardly branch of Little River  
1401 crosses the divisional line to Tuggaloe River : From the place of  
1402 beginning, the Wild-cat Rock, down the northeast margin of the  
1403 Tennessee River (not including islands) to a point or place one  
1404 mile above the junction of that river with the Clinch, and from  
1405 thence by a line to be drawn in a right angle, until it intersects  
1406 Hawkins's line leading from Clinch. Thence down the said line  
1407 to the river Clinch ; thence up the said river to its junction with  
1408 Emmery's River ; and thence up Emmery's River to the foot of  
1409 Cumberland Mountain. From thence a line to be drawn, north-  
1410 eastwardly, along the foot of the mountain, until it intersects  
1411 with Campbell's line.

1412 ARTICLE 5. To prevent all future misunderstanding about  
1413 the line described in the foregoing article, two commissioners  
1414 shall be appointed to superintend the running and marking the  
1415 same, where not ascertained by the rivers, immediately after  
1416 signing this treaty ; one to be appointed by the commissioners  
1417 of the United States, and the other by the Cherokee Nation ;  
1418 and who shall cause three maps or charts thereof to be made  
1419 out ; one whereof shall be transmitted and deposited in the  
1420 War Office of the United States ; another with the executive of  
1421 the State of Tennessee, and the third with the Cherokee Nation,  
1422 which said line shall form a part of the boundary between the  
1423 United States and the Cherokee Nation.

1424 ARTICLE 6. In consideration of the relinquishment and ces-  
1425 sion hereby made, the United States, upon signing the present  
1426 treaty, shall cause to be delivered to the Cherokees, goods,

1427 wares, and merchandize, to the amount of five thousand dollars,  
 1428 and shall cause to be delivered, annually, other goods, to the  
 1429 amount of one thousand dollars, in addition to the annuity  
 1430 already provided for; and will continue the guarantee of the  
 1431 remainder of their country forever, as made and contained in  
 1432 former treaties.

1433 ARTICLE 7. The Cherokee Nation agree, that the Kentucky  
 1434 road, running between the Cumberland Mountain and the Cum-  
 1435 berland River, where the same shall pass through the Indian  
 1436 land, shall be an open and free road for the use of the citizens of  
 1437 the United States in like manner as the road from Southwest  
 1438 Point to Cumberland River. In consideration of which it is  
 1439 hereby agreed on the part of the United States, that until settle-  
 1440 ments shall make it improper, the Cherokee hunters shall be at  
 1441 liberty to hunt and take game upon the lands relinquished and  
 1442 ceded by this treaty.

1443 ARTICLE 8. Due notice shall be given to the principal  
 1444 towns of the Cherokees, of the time proposed for delivering the  
 1445 annual stipends; and sufficient supplies of provisions shall be  
 1446 furnished, by and at the expense of the United States, to sub-  
 1447 sist such reasonable number that may be sent, or shall attend to  
 1448 receive them during a reasonable time.

1449 ARTICLE 9. It is mutually agreed between the parties, that  
 1450 horses stolen and not returned within ninety days shall be paid  
 1451 for at the rate of sixty dollars each; if stolen by a white man,  
 1452 citizen of the United States, the Indian proprietor shall be paid  
 1453 in cash; and if stolen by an Indian from a citizen, to be deducted  
 1454 as expressed in the fourth article of the treaty of Philadelphia.  
 1455 This article shall have retrospect to the commencement of the  
 1456 first conferences at this place in the present year, and no fur-  
 1457 ther. And all animosities, aggressions, thefts, and plunderings,  
 1458 prior to that day, shall cease, and be no longer remembered or  
 1459 demanded on either side.

1460 ARTICLE 10. The Cherokee Nation agree, that the agent who  
 1461 shall be appointed to reside among them from time to time  
 1462 shall have a sufficient piece of ground allotted for his temporary  
 1463 use.

1464 And lastly, This treaty, and the several articles it contains,  
 1465 shall be considered as additional to, and forming a part of,  
 1466 treaties already subsisting between the United States and the  
 1467 Cherokee Nation, and shall be carried into effect on both sides,  
 1468 with all good faith, as soon as the same shall be approved and  
 1469 ratified by the President of the United States, and the Senate  
 1470 thereof.

1471 Concluded October 2, 1798.

1472 *Articles of a treaty between the United States of America and the*  
 1473 *Cherokee Indians.*

1474 Daniel Smith and Return J. Meigs, being commissioned by  
 1475 Thomas Jefferson, President of the United States, with powers  
 1476 of acting in behalf of the said United States, in arranging cer-  
 1477 tain matters with the Cherokee Nation of Indians; and the  
 1478 underwritten principal chiefs, representing the said nation, hav-  
 1479 ing met the said commissioners in a conference at Tellico, and  
 1480 having taken into their consideration certain propositions made  
 1481 to them by the said commissioners of the United States; the  
 1482 parties aforesaid have unanimously agreed and stipulated, as is  
 1483 definitely expressed in the following articles:

1484 ARTICLE 1. For the considerations hereinafter expressed,  
 1485 the Cherokee Nation relinquish and cede to the United States  
 1486 a tract of land bounding, southerly, on the boundary-line be-  
 1487 tween the State of Georgia and the said Cherokee Nation, begin-  
 1488 ning at a point on the said boundary-line northeasterly of the  
 1489 most northeast plantation, in the settlement known by the name  
 1490 of Wafford's Settlement, and running at right angles with the  
 1491 said boundary-line four miles into the Cherokee land; thence  
 1492 at right angles southwesterly and parallel to the first mentioned  
 1493 boundary-line, so far as that a line, to be run at right angles  
 1494 southerly to the said first mentioned boundary-line, shall include  
 1495 in this cession all the plantations in Wafford's Settlement,  
 1496 so-called, as aforesaid.

1497 ARTICLE 2. For and in consideration of the relinquishment  
 1498 and cession, as expressed in the first article, the United States,  
 1499 upon signing the present treaty, shall cause to be delivered to  
 1500 the Cherokees useful goods, wares, and merchandise, to the  
 1501 amount of five thousand dollars, or that sum in money, at the  
 1502 option (timely signified) of the Cherokees, and shall, also, cause  
 1503 to be delivered, annually, to them, other useful goods to the  
 1504 amount of one thousand dollars, or money to that amount, at  
 1505 the option of the Cherokees, timely notice thereof being given,  
 1506 in addition to the annuity heretofore stipulated, and to be de-  
 1507 livered at the usual time of their receiving their annuity.

1508 Proclaimed May 17, 1804.

1509 *Articles of a treaty agreed upon between the United States of Amer-*  
 1510 *ica, by their commissioners, Return J. Meigs and Daniel Smith,*  
 1511 *appointed to hold conferences with the Cherokee Indians, for the*  
 1512 *purpose of arranging certain interesting matters with the said*  
 1513 *Cherokees, of the one part, and the undersigned chiefs and head-*  
 1514 *men of the said nation, of the other part.*

1515 ARTICLE 1. All former treaties, which provide for the main-

1516 tenance of peace and preventing of crimes, are on this occasion  
1517 recognized and continued in force.

1518 ARTICLE 2. The Cherokees quit claim and cede to the  
1519 United States all the land which they have heretofore claimed,  
1520 lying to the north of the following boundary line: beginning  
1521 at the mouth of Duck River, running thence up the main stream  
1522 of the same to the junction of the fork, at the head of which Fort  
1523 Nash stood, with the main south fork; thence a direct course to  
1524 a point on the Tennessee River bank, opposite the mouth of  
1525 Hiwassa River. If the line from Hiwassa should leave out  
1526 Field's Settlement, it is to be marked round his improvement,  
1527 and then continued the straight course; thence up the middle  
1528 of the Tennessee River, (but leaving all the islands to the Cher-  
1529 okees,) to the mouth of Clinch River; thence up the Clinch  
1530 River to the former boundary line agreed upon with the said  
1531 Cherokees, reserving at the same time to the use of the Cher-  
1532 okees a small tract lying at and below the mouth of Clinch  
1533 River; from the mouth extending thence down the Tennessee  
1534 River, from the mouth of Clinch to a notable rock on the north  
1535 bank of the Tennessee, in view from Southwest Point; thence  
1536 a course at right angles with the river to the Cumberland road;  
1537 thence eastwardly along the same, to the bank of Clinch River,  
1538 so as to secure the ferry landing to the Cherokees up to the first  
1539 hill, and down the same to the mouth thereof, together with two  
1540 other sections of one square mile each, one of which is at the  
1541 foot of Cumberland Mountain, at and near the place where the  
1542 turnpike gate now stands; the other on the north bank of the  
1543 Tennessee River, where the Cherokee Talootiske now lives. And  
1544 whereas, from the present cession made by the Cherokees, and  
1545 other circumstances, the site of the garrisons at South West  
1546 Point and Tellico are become not the most convenient and suit-  
1547 able places for the accommodation of the said Indians, it may  
1548 become expedient to remove the said garrisons and factory to  
1549 some more suitable place, three other square miles are reserved  
1550 for the particular disposal of the United States on the north  
1551 bank of the Tennessee, opposite to and below the mouth of  
1552 Hiwassa.

1553 ARTICLE 3. In consideration of the above cession and relin-  
1554 quishment, the United States agree to pay immediately three  
1555 thousand dollars in valuable merchandize, and eleven thousand  
1556 dollars within ninety days after the ratification of this treaty, and  
1557 also an annuity of three thousand dollars, the commencement of  
1558 which is this date. But so much of the said eleven thousand  
1559 dollars as the said Cherokees may agree to accept in useful arti-  
1560 cles of and machines for agriculture and manufactures, shall be  
1561 paid in those articles, at their option.

1562       ARTICLE 4. The citizens of the United States shall have the  
 1563 free and unmolested use and enjoyment of the two following de-  
 1564 scribed roads, in addition to those which are at present estab-  
 1565 lished through their country; one to proceed from some convenient  
 1566 place near the head of Stone's River, and fall into the Georgia  
 1567 road at a suitable place towards the southern frontier of the  
 1568 Cherokees. The other to proceed from the neighbourhood of  
 1569 Franklin, on Big Harpath, and crossing the Tennessee at or near  
 1570 the Muscle Shoals, to pursue the nearest and best way to the  
 1571 settlements on the Tombigbee. These roads shall be viewed and  
 1572 marked out by men appointed on each side for that purpose, in  
 1573 order that they may be directed the nearest and best ways, and  
 1574 the time of doing the business the Cherokees shall be duly  
 1575 notified.

1576       ARTICLE 5. This treaty shall take effect and be obligatory  
 1577 on the contracting parties as soon as it is ratified by the Presi-  
 1578 dent of the United States, by and with the advice and consent  
 1579 of the Senate of the same.

1580       Proclaimed April 24, 1806.

1581       *Articles of a treaty between the United States of America, by their*  
 1582       *commissioners, Return J. Meigs and Daniel Smith, who are*  
 1583       *appointed to hold conferences with the Cherokees for the purpose*  
 1584       *of arranging certain interesting matters with the said Indians,*  
 1585       *of the one part, and the undersigned chiefs and head-men of the*  
 1586       *Cherokees, of the other part.*

1587       ARTICLE 1. Whereas it has been represented by the one  
 1588 party to the other, that the section of land on which the garrison  
 1589 of South West Point stands, and which extends to Kingston, is  
 1590 likely to be a desirable place for the assembly of the State of  
 1591 Tennessee to convene at, (a committee from that body now in  
 1592 session having viewed the situation,) now the Cherokees being  
 1593 possessed of a spirit of conciliation, and seeing that this tract is  
 1594 desired for public purposes, and not for individual advantages,  
 1595 (reserving the ferries to themselves,) quit claim and cede to the  
 1596 United States the said section of land, understanding at the same  
 1597 time that the buildings erected by the public are to belong to  
 1598 the public, as well as the occupation of the same, during the  
 1599 pleasure of the Government; we also cede to the United States  
 1600 the first island in the Tennessee, above the mouth of Clinch.

1601       ARTICLE 2. And whereas the mail of the United States is  
 1602 ordered to be carried from Knoxville to New Orleans, through  
 1603 the Cherokee, Creek and Choctaw countries, the Cherokees  
 1604 agree that the citizens of the United States shall have, so far as  
 1605 it goes through their country, the free and unmolested use of a

1606 road leading from Tellico to Tombigbe, to be laid out by viewers  
 1607 appointed on both sides, who shall direct it the nearest and best  
 1608 way ; and the time of doing the business the Cherokees shall be  
 1609 notified of.

1610 ARTICLE 3. In consideration of the above cession and re-  
 1611 linquishment, the United States agree to pay to the said Cher-  
 1612 okee Indians sixteen hundred dollars in money, or useful mer-  
 1613 chandize, at their option, within ninety days after the ratification  
 1614 of this treaty.

1615 ARTICLE 4. This treaty shall be obligatory between the con-  
 1616 tracting parties as soon as it is ratified by the President, by and  
 1617 with the advice and consent of the Senate of the United States.  
 1618 Proclaimed June 10, 1806.

1619 *A convention between the United States and the Cherokee Nation of*  
 1620 *Indians, concluded at the city of Washington, on the seventh*  
 1621 *day of January, in the year one thousand eight hundred and*  
 1622 *six.*

1623 Articles of a convention made between Henry Dearborn,  
 1624 secretary of war, being specially authorized thereto by the Pres-  
 1625 ident of the United States, and the undersigned chiefs and head-  
 1626 men of the Cherokee Nation of Indians, duly authorized and em-  
 1627 powered by said nation.

1628 ARTICLE 1. The undersigned chiefs and head-men of the  
 1629 Cherokee Nation of Indians, for themselves and in behalf of their  
 1630 nation, relinquish to the United States all right, title, interest  
 1631 and claim, which they or their nation have or ever had to all  
 1632 that tract of country which lies to the northward of the river  
 1633 Tennessee and westward of a line to be run from the upper part  
 1634 of the Chickasaw Old Fields, at the upper point of an island,  
 1635 called Chickasaw Island, on said river, to the most easterly head  
 1636 waters of that branch of said Tennessee River called Duck River,  
 1637 excepting the two following described tracts, viz, one tract  
 1638 bounded southerly on the said Tennessee River, at a place called  
 1639 the Muscle Shoals, westerly by a creek called Te Kee, ta, no-eh  
 1640 or Cyprus Creek, and easterly by Chu, wa, lee, or Elk River or  
 1641 Creek, and northerly by a line to be drawn from a point on said  
 1642 Elk River ten miles on a direct line from its mouth or junction  
 1643 with Tennessee River, to a point on the said Cyprus Creek, ten  
 1644 miles on a direct line from its junction with the Tennessee River.

1645 The other tract is to be two miles in width on the north side  
 1646 of Tennessee River, and to extend northerly from that river  
 1647 three miles, and bounded as follows, viz, beginning at the mouth  
 1648 of Spring Creek, and running up said creek three miles on a  
 1649 straight line, thence westerly two miles at right angles with the

1650 general course of said creek, thence southerly on a line parallel  
 1651 with the general course of said creek to the Tennessee River,  
 1652 thence up said river by its waters to the beginning: which first  
 1653 reserved tract is to be considered the common property of the  
 1654 Cherokees who now live on the same, including John D. Ches-  
 1655 holm, Au, tow, we, and Cheh Chuh, and the other reserved tract  
 1656 on which Moses Melton now lives is to be considered the prop-  
 1657 erty of said Melton and of Charles Hicks, in equal shares.

1658 And the said chiefs and head-men also agree to relinquish  
 1659 to the United States all right or claim which they or their nation  
 1660 have to what is called the Long Island in Holston River.

1661 ARTICLE 2. The said Henry Dearborn on the part of the  
 1662 United States hereby stipulates and agrees that in consideration  
 1663 of the relinquishment of title by the Cherokees, as stated in the  
 1664 preceding article, the United States will pay to the Cherokee  
 1665 Nation two thousand dollars in money as soon as this convention  
 1666 shall be duly ratified by the Government of the United States;  
 1667 and two thousand dollars in each of the four succeeding years,  
 1668 amounting in the whole to ten thousand dollars; and that a grist-  
 1669 mill shall, within one year from the date hereof, be built in the  
 1670 Cherokee country, for the use of the nation, at such place as  
 1671 shall be considered most convenient; that the said Cherokees  
 1672 shall be furnished with a machine for cleaning cotton; and also,  
 1673 that the old Cherokee chief, called the Black Fox, shall be  
 1674 paid annually one hundred dollars by the United States during  
 1675 his life.

1676 ARTICLE 3. It is also agreed on the part of the United  
 1677 States, that the Government thereof will use its influence and  
 1678 best endeavors to prevail on the Chickasaw Nation of Indians to  
 1679 agree to the following boundary between that nation and the  
 1680 Cherokees to the southward of the Tennessee River, viz, begin-  
 1681 ning at the mouth of Caney Creek near the lower part of the  
 1682 Muscle Shoals, and to run up said creek to its head, and in a  
 1683 direct line from thence to the Flat Stone or Rock, the old corner  
 1684 boundary.

1685 But it is understood by the contracting parties that the  
 1686 United States do not engage to have the aforesaid line or bound-  
 1687 ary established, but only to endeavor to prevail on the Chicka-  
 1688 saw Nation to consent to such a line as the boundary between the  
 1689 two nations.

1690 ARTICLE 4. It is further agreed on the part of the United  
 1691 States that the claims which the Chickasaws may have to the  
 1692 two tracts reserved by the first article of this convention on the  
 1693 north side of the Tennessee River, shall be settled by the United  
 1694 States in such manner as will be equitable, and will secure to  
 1695 the Cherokees the title to the said reservations.

1696 Proclaimed May 23, 1807.

1697 *Elucidation of a convention with the Cherokee Nation.*

1698       Whereas by the first article of a convention between the  
 1699 United States and the Cherokee Nation, entered into at the  
 1700 city of Washington, on the seventh day of January, one thou-  
 1701 sand eight hundred and six, it was intended on the part of the  
 1702 Cherokee Nation, and so understood by the Secretary of War,  
 1703 the commissioner on the part of the United States, to cede to  
 1704 the United States all the right, title, and interest which the said  
 1705 Cherokee Nation ever had to a tract of country contained be-  
 1706 tween the Tennessee River and the Tennessee ridge (so-called;)   
 1707 which tract of country had, since the year one thousand seven  
 1708 hundred and ninety-four, been claimed by the Cherokees and  
 1709 the Chickasaws; the eastern boundary whereof is limited by a  
 1710 line so to be run from the upper part of the Chickasaw Old  
 1711 Fields, as to include all the waters of Elk River, anything ex-  
 1712 pressed in said convention to the contrary notwithstanding: It  
 1713 is therefore now declared by James Robertson and Return J.  
 1714 Meigs, acting under the authority of the Executive of the United  
 1715 States, and by a delegation of Cherokee chiefs, of whom Euno-  
 1716 lee or Black Fox, the king or head chief of said Cherokee Nation,  
 1717 acting on the part of, and in behalf of said nation, is one, that  
 1718 the eastern limits of said ceded tract shall be bounded by a line so  
 1719 to be run from the upper end of the Chickasaw Old Fields, a  
 1720 little above the upper point of an island called Chickasaw  
 1721 Island, as will most directly intersect the first waters of Elk  
 1722 River, thence carried to the Great Cumberland Mountain, in  
 1723 which the waters of Elk River have their source, then along the  
 1724 margin of said mountain untill it shall intersect lands hereto-  
 1725 fore ceded to the United States, at the said Tennessee ridge.  
 1726 And in consideration of the readiness shown by the Cherokees  
 1727 to explain, and to place the limits of the land ceded by the said  
 1728 convention out of all doubt, and in consideration of their ex-  
 1729 penses in attending council, the Executive of the United States  
 1730 will direct that the Cherokee Nation shall receive the sum of  
 1731 two thousand dollars, to be paid to them by their agent, at such  
 1732 time as the said Executive shall direct, and that the Cherokee  
 1733 hunters, as hath been the custom in such cases, may hunt on  
 1734 said ceded tract, until by the fullness of settlers it shall become  
 1735 improper. And it is hereby declared by the parties, that this  
 1736 explanation ought to be considered as a just elucidation of the  
 1737 cession made by the first article of said convention.

1738       Proclaimed April 22, 1808.

1739 *Articles of a treaty made and concluded at the city of Washington,*  
 1740 *on the twenty-second day of March, one thousand eight hundred*  
 1741 *and sixteen, between George Graham, being specially authorized*  
 1742 *by the President of the United States thereto, and the under-*  
 1743 *signed chiefs and head-men of the Cherokee Nation, duly author-*  
 1744 *ized and empowered by the said nation.*

1745 ARTICLE 1. Whereas the executive of the State of South  
 1746 Carolina has made an application to the President of the United  
 1747 States to extinguish the claim of the Cherokee Nation to that  
 1748 part of their lands which lie within the boundaries of the said  
 1749 State, as lately established and agreed upon between that State  
 1750 and the State of North Carolina; and as the Cherokee Nation  
 1751 is disposed to comply with the wishes of their brothers of South  
 1752 Carolina, they have agreed and do hereby agree to cede to the  
 1753 State of South Carolina, and forever quit claim to, the tract of  
 1754 country contained within the following bounds, viz, beginning  
 1755 on the east bank of the Chattuga River, where the boundary-  
 1756 line of the Cherokee Nation crosses the same, running thence,  
 1757 with the said boundary-line, to a rock on the Blue Ridge, where  
 1758 the boundary-line crosses the same, and which rock has been  
 1759 lately established as a corner to the States of North and South  
 1760 Carolina; running thence, south, sixty-eight and a quarter de-  
 1761 grees west, twenty miles and thirty-two chains, to a rock on the  
 1762 Chattuga River at the thirty-fifth degree of north latitude, an-  
 1763 other corner of the boundaries agreed upon by the States of  
 1764 North and South Carolina; thence, down and with the Chat-  
 1765 tuga, to the beginning.

1766 ARTICLE 2. For and in consideration of the above cession,  
 1767 the United States promise and engage that the State of South  
 1768 Carolina shall pay to the Cherokee Nation, or its accredited agent,  
 1769 the sum of five thousand dollars, within ninety days after the  
 1770 President and Senate shall have ratified this treaty: *Provided,*  
 1771 *That the Cherokee Nation shall have sanctioned the same in*  
 1772 *council: And provided also, That the executive of the State of*  
 1773 *South Carolina shall approve of the stipulations contained in*  
 1774 *this article.*

1775 Ratified April 8, 1816.

1776 *Articles of a convention made and entered into between George*  
 1777 *Graham, specially authorized thereto by the President of the*  
 1778 *United States, and the undersigned chiefs and head-men of the*  
 1779 *Cherokee Nation, duly authorized and empowered by the said*  
 1780 *nation.*

1781 ARTICLE 1. Whereas doubts have existed in relation to the  
 1782 northern boundary of that part of the Creek lands lying west

1783 of the Coosa River, and which were ceded to the United States  
 1784 by the treaty held at Fort Jackson, on the ninth day of August,  
 1785 one thousand eight hundred and fourteen; and whereas, by the  
 1786 third article of the treaty dated the seventh of January, one  
 1787 thousand eight hundred and six, between the United States and  
 1788 the Cherokee Nation, the United States have recognised a claim  
 1789 on the part of the Cherokee Nation to the land south of the  
 1790 Big Bend of the Tennessee River, and extending as far west as  
 1791 a place on the waters of Bear Creek, [a branch of the Tennes-  
 1792 see River,] known by the name of the Flat Rock, or Stone; it  
 1793 is therefore now declared and agreed, that a line shall be run  
 1794 from a point on the west bank of the Coosa River, opposite to  
 1795 the lower end of the Ten Islands in said river, and above Fort  
 1796 Strother, directly to the Flat Rock or Stone, on Bear Creek, [a  
 1797 branch of the Tennessee River;] which line shall be established  
 1798 as the boundary of the lands ceded by the Creek Nation to the  
 1799 United States by the treaty held at Fort Jackson, on the ninth  
 1800 day of August, one thousand eight hundred and fourteen, and  
 1801 of the lands claimed by the Cherokee Nation lying west of the  
 1802 Coosa and south of the Tennessee Rivers.

1803 ARTICLE 2. It is expressly agreed on the part of the Chero-  
 1804 kee Nation that the United States shall have the right to lay  
 1805 off, open, and have the free use of, such road or roads, through  
 1806 any part of the Cherokee Nation, lying north of the boundary-  
 1807 line now established, as may be deemed necessary for the free  
 1808 intercourse between the States of Tennessee and Georgia and  
 1809 the Mississippi Territory. And the citizens of the United  
 1810 States shall freely navigate and use, as a highway, all the rivers  
 1811 and waters within the Cherokee Nation. The Cherokee Nation  
 1812 further agree to establish and keep up, on the roads to be opened  
 1813 under the sanction of this article, such ferries and public houses  
 1814 as may be necessary for the accommodation of the citizens of  
 1815 the United States.

1816 ARTICLE 3. In order to preclude any dispute hereafter  
 1817 relative to the boundary-line now established, it is hereby  
 1818 agreed that the Cherokee Nation shall appoint two commission-  
 1819 ers to accompany the commissioners already appointed on the  
 1820 part of the United States to run the boundary-lines of the lands  
 1821 ceded by the Creek Nation to the United States, while they are  
 1822 engaged in running that part of the boundary established by  
 1823 the first article of this treaty.

1824 ARTICLE 4. In order to avoid unnecessary expense and  
 1825 delay, it is further agreed that, whenever the President of the  
 1826 United States may deem it expedient to open a road through any  
 1827 part of the Cherokee Nation, in pursuance of the stipulations  
 1828 of the second article of this convention, the principal chief of

1829 the Cherokee Nation shall appoint one commissioner to accom-  
 1830 pany the commissioners appointed by the President of the  
 1831 United States, to lay off and mark the road; and the said com-  
 1832 missioner shall be paid by the United States.

1833 ARTICLE 5. The United States agree to indemnify the indi-  
 1834 viduals of the Cherokee Nation for losses sustained by them in  
 1835 consequence of the march of the militia and other troops in the  
 1836 service of the United States through that nation; which losses  
 1837 have been ascertained by the agents of the United States to  
 1838 amount to twenty-five thousand five hundred dollars.

1839 Ratified April 8, 1816.

1840

*Treaty with the Cherokees.*

1841 To perpetuate peace and friendship between the United  
 1842 States and Cherokee tribe, or nation, of Indians, and to remove  
 1843 all future causes of dissension which may arise from indefinite  
 1844 territorial boundaries, the President of the United States of  
 1845 America, by Major General Andrew Jackson, General David  
 1846 Meriwether, and Jesse Franklin, esquire, commissioners plenipo-  
 1847 tentiary, on the one part, and the Cherokee delegates on the  
 1848 other, covenant and agree to the following articles and condi-  
 1849 tions, which, when approved by the Cherokee Nation, and con-  
 1850 stitutionally ratified by the Government of the United States;  
 1851 shall be binding on all parties :

1852 ARTICLE 1. Peace and friendship are hereby firmly estab-  
 1853 lished between the United States and Cherokee Nation, or tribe,  
 1854 of Indians.

1855 ARTICLE 2. The Cherokee Nation acknowledge the follow-  
 1856 ing as their western boundary: South of the Tennessee River,  
 1857 commencing at Camp Coffee, on the south side of the Tennessee  
 1858 River, which is opposite the Chickasaw Island, running from  
 1859 thence a due south course to the top of the dividing ridge  
 1860 between the waters of the Tennessee and Tombigbee Rivers;  
 1861 thence eastwardly along said ridge, leaving the head-waters of  
 1862 the Black Warrior to the right hand, until opposed by the west  
 1863 branch of Well's Creek, down the east bank of said creek to the  
 1864 Coosa River, and down said river.

1865 ARTICLE 3. The Cherokee Nation relinquish to the United  
 1866 States all claim, and cede all title, to lands laying south and west  
 1867 of the line, as described in the second article; and, in consider-  
 1868 ation of said relinquishment and cession, the commissioners  
 1869 agree to allow the Cherokee Nation an annuity of six thousand  
 1870 dollars, to continue for ten successive years, and five thousand  
 1871 dollars, to be paid in sixty days after the ratification of the

1872 treaty, as a compensation for any improvements which the said  
1873 nation may have had on the lands surrendered.

1874 ARTICLE 4. The two contracting parties covenant and agree  
1875 that the line, as described in the second article, shall be ascer-  
1876 tained and marked by commissioners, to be appointed by the  
1877 President of the United States; that the marks shall be bold;  
1878 trees to be blazed on both sides of the line, and the fore and aft  
1879 trees to be marked with the letters U. S.; that the commission-  
1880 ers shall be accompanied by two persons, to be appointed by  
1881 the Cherokee Nation, and that said nation shall have due and  
1882 seasonable notice when said operation is to be commenced.

1883 ARTICLE 5. It is stipulated that the Cherokee Nation will  
1884 meet General Andrew Jackson, General David Meriwether, and  
1885 Jesse Franklin, esquire, in council, at Turkey's Town, Coosa  
1886 River, on the 28th of September, (instant,) there and then to  
1887 express their approbation, or not, of the articles of this treaty;  
1888 and if they do not assemble at the time and place specified, it is  
1889 understood that the said commissioners may report the same as  
1890 a tacit ratification, on the part of the Cherokee Nation, of this  
1891 treaty.

1892 Proclaimed December 30, 1816.

1893 *Articles of a treaty concluded, at the Cherokee agency, with*  
1894 *the Cherokee Nation, between Major-General Andrew Jackson,*  
1895 *Joseph M'Minn, governor of the State of Tennessee, and General*  
1896 *David Meriwether, commissioners plenipotentiary of the United*  
1897 *States of America, of the one part, and the chiefs, head-men, and*  
1898 *warriors of the Cherokee Nation east of the Mississippi River,*  
1899 *and the chiefs, head-men, and warriors of the Cherokees on the*  
1900 *Arkansas River, and their deputies, John D. Chisholm and*  
1901 *James Rogers, duly authorized by the chiefs of the Cherokees on*  
1902 *the Arkansas River, in open council, by written power of attor-*  
1903 *ney, duly signed and executed, in presence of Joseph Serier*  
1904 *and William Ware.*

1905 Whereas in the autumn of the year one thousand eight hun-  
1906 dred and eight, a deputation from the Upper and Lower Chero-  
1907 kee towns, duly authorized by their nation, went on to the city  
1908 of Washington, the first named to declare to the President of  
1909 the United States their anxious desire to engage in the pursuits  
1910 of agriculture and civilized life in the country they then occu-  
1911 pied, and to make known to the President of the United States  
1912 the impracticability of inducing the nation at large to do this,  
1913 and to request the establishment of a division line between the  
1914 upper and lower towns, so as to include all the waters of the  
1915 Hiwassee River to the upper town, that, by thus contracting

1916 their society within narrow limits, they proposed to begin the  
 1917 establishment of fixed laws and a regular government; the  
 1918 deputies from the lower towns to make known their desire to  
 1919 continue the hunter life, and also the scarcity of game where  
 1920 they then lived, and, under those circumstances, their wish to  
 1921 remove across the Mississippi River, on some vacant lands of the  
 1922 United States. And whereas the President of the United States,  
 1923 after maturely considering the petitions of both parties, on the  
 1924 ninth day of January, A. D. one thousand eight hundred and  
 1925 nine, including other subjects, answered those petitions as fol-  
 1926 lows: "The United States, my children, are the friends of both  
 1927 parties, and as far as can be reasonably asked they are willing  
 1928 to satisfy the wishes of both. Those who remain may be as-  
 1929 sured of our patronage, our aid, and good neighborhood. Those  
 1930 who wish to remove are permitted to send an exploring party  
 1931 to reconnoitre the country on the waters of the Arkansas and  
 1932 White Rivers, and the higher up the better, as they will be the  
 1933 longer unapproached by our settlements, which will begin at  
 1934 the mouths of those rivers. The regular districts of the gov-  
 1935 ernment of St. Louis are already laid off to the St. Francis.

1936 "When this party shall have found a tract of country suit-  
 1937 ing the emigrants, and not claimed by other Indians, we will  
 1938 arrange with them and you the exchange of that for a just por-  
 1939 tion of the country they leave, and to a part of which, propor-  
 1940 tioned to their numbers, they have a right. Every aid towards  
 1941 their removal, and what will be necessary for them there, will  
 1942 then be freely administered to them; and when established in  
 1943 their new settlements, we shall still consider them as our children,  
 1944 give them the benefit of exchanging their peltries for what they  
 1945 will want at our factories, and always hold them firmly by the  
 1946 hand."

1947 And whereas the Cherokees, relying on the promises of the  
 1948 President of the United States, as above recited, did explore  
 1949 the country on the west side of the Mississippi, and made choice  
 1950 of the country on the Arkansas and White Rivers, and settled  
 1951 themselves down upon United States' lands, to which no other  
 1952 tribe of Indians have any just claim, and have duly notified the  
 1953 President of the United States thereof, and of their anxious  
 1954 desire for the full and complete ratification of his promise, and,  
 1955 to that end, as notified by the President of the United States,  
 1956 have sent on their agents, with full powers to execute a treaty,  
 1957 relinquishing to the United States all the right, title, and inter-  
 1958 est to all lands of right to them belonging, as part of the Chero-  
 1959 kee Nation, which they have left, and which they are about to  
 1960 leave, proportioned to their numbers, including, with those now  
 1961 on the Arkansas, those who are about to remove thither, and to

1962 a portion of which they have an equal right agreeably to their  
1963 numbers.

1964 Now, know ye, that the contracting parties, to carry into  
1965 full effect the before-recited promises with good faith, and to  
1966 promote a continuation of friendship with their brothers on the  
1967 Arkansas River, and for that purpose to make an equal distribu-  
1968 tion of the annuities secured to be paid by the United States to  
1969 the whole Cherokee Nation, have agreed and concluded on the  
1970 following articles, viz :

1971 ARTICLE 1. The chiefs, head-men, and warriors of the  
1972 whole Cherokee Nation, cede to the United States all the lands  
1973 lying north and east of the following boundaries, viz: Beginning  
1974 at the high shoals of the Appalachy River, and running thence  
1975 along the boundary line between the Creek and Cherokee Na-  
1976 tions, westwardly to the Chatahouchy River; thence up the  
1977 Chatahouchy River, to the mouth of Souque Creek; thence con-  
1978 tinuing with the general course of the river until it reaches the  
1979 Indian boundary line, and, should it strike the Turrurar River,  
1980 thence, with its meanders, down said river to its mouth, in part  
1981 of the proportion of land in the Cherokee Nation east of the  
1982 Mississippi, to which those now on the Arkansas and those  
1983 about to remove there are justly entitled.

1984 ARTICLE 2. The chiefs, head-men, and warriors of the whole  
1985 Cherokee Nation do also cede to the United States all the lands  
1986 lying north and west of the following boundary lines, viz: Be-  
1987 ginning at the Indian boundary line that runs from the north  
1988 bank of the Tennessee River, opposite to the mouth of Hywassee  
1989 River, at a point on the top of Walden's Ridge, where it divides  
1990 the waters of the Tennessee River from those of the Sequatchie  
1991 River; thence, along the said ridge, southwardly, to the bank  
1992 of the Tennessee River, at a point near to a place called the  
1993 Negro Sugar Camp, opposite to the upper end of the first island  
1994 above Running Water Town; thence westwardly, a straight  
1995 line to the mouth of Little Sequatchie River; thence up said river  
1996 to its main fork; thence up its northermost fork to its source;  
1997 and thence, due west, to the Indian boundary line.

1998 ARTICLE 3. It is also stipulated by the contracting parties that  
1999 a census shall be taken of the whole Cherokee Nation during the  
2000 month of June, in the year of our Lord one thousand eight hun-  
2001 dred and eighteen, in the following manner, viz: That the census  
2002 of those on the east side of the Mississippi River, who declared  
2003 their intention of remaining, shall be taken by a commissioner  
2004 appointed by the President of the United States, and a commis-  
2005 sioner appointed by the Cherokees on the Arkansas River; and  
2006 the census of the Cherokees on the Arkansas River, and those  
2007 removing there, and who at that time declare their intention of

removing there, shall be taken by a commissioner appointed by the President of the United States, and one appointed by the Cherokees east of the Mississippi River.

ARTICLE 4. The contracting parties do also stipulate that the annuity due from the United States to the whole Cherokee Nation for the year one thousand eight hundred and eighteen is to be divided between the two parts of the nation in proportion to their numbers, agreeably to the stipulations contained in the third article of this treaty; and to be continued to be divided thereafter in proportion to their numbers; and the lands to be apportioned and surrendered to the United States agreeably to the aforesaid enumeration, as the proportionate part, agreeably to their numbers, to which those who have removed, and who declare their intention to remove, have a just right, including these with the lands ceded in the first and second articles of this treaty.

ARTICLE 5. The United States bind themselves, in exchange for the lands ceded in the first and second articles hereof, to give to that part of the Cherokee Nation on the Arkansas as much land on said river and White River as they have or may hereafter receive from the Cherokee Nation east of the Mississippi, acre for acre, as the just proportion due that part of the nation on the Arkansas agreeably to their numbers; which is to commence on the north side of the Arkansas River, at the mouth of Point Remove or Budwell's Old Place; thence by a straight line, northwardly, to strike Chataunga Mountain, or the hill first above Shield's Ferry on White River, running up and between said rivers for complement, the banks of which rivers to be the lines; and to have the above line, from the point of beginning to the point on White River, run and marked, which shall be done soon after the ratification of this treaty; and all citizens of the United States, except Mrs. P. Lovely, who is to remain where she lives during life, removed from within the bounds as above-named. And it is further stipulated that the treaties heretofore between the Cherokee Nation and the United States are to continue in full force with both parts of the nation, and both parts thereof entitled to all the immunities and privilege which the old nation enjoyed under the aforesaid treaties; the United States reserving the right of establishing factories, a military post, and roads within the boundaries above defined.

ARTICLE 6. The United States do also bind themselves to give to all the poor warriors who may remove to the western side of the Mississippi River one rifle-gun and ammunition, one blanket, and one brass kettle, or, in lieu of the brass kettle, a beaver trap, which is to be considered as a full compensation for the improvements which they may leave; which articles are to be

delivered at such point as the President of the United States may direct; and to aid in the removal of the emigrants, they further agree to furnish flat-bottomed boats and provisions sufficient for that purpose; and to those emigrants whose improvements add real value to their lands, the United States agree to pay a full valuation for the same, which is to be ascertained by a commissioner appointed by the President of the United States for that purpose, and paid for as soon after the ratification of this treaty as practicable. The boats and provisions promised to the emigrants are to be furnished by the agent on the Tennessee River, at such time and place as the emigrants may notify him of; and it shall be his duty to furnish the same.

ARTICLE 7. And for all improvements which add real value to the lands lying within the boundaries ceded to the United States, by the first and second articles of this treaty, the United States do agree to pay for at the time, and to be valued in the same manner, as stipulated in the sixth article of this treaty; or, in lieu thereof, to give in exchange improvements of equal value which the emigrants may leave, and for which they are to receive pay. And it is farther stipulated, that all these improvements, left by the emigrants within the bounds of the Cherokee Nation east of the Mississippi River, which add real value to the lands, and for which the United States shall give a consideration, and not so exchanged, shall be rented to the Indians by the agent, year after year, for the benefit of the poor and decrepid of that part of the nation east of the Mississippi River, until surrendered by the nation, or to the nation. And it is further agreed that the said Cherokee Nation shall not be called upon for any part of the consideration paid for said improvements at any future period.

ARTICLE 8. And to each and every head of any Indian family residing on the east side of the Mississippi River, on the lands that are now, or may hereafter be, surrendered to the United States, who may wish to become citizens of the United States, the United States do agree to give a reservation of six hundred and forty acres of land, in a square, to include their improvements, which are to be as near the centre thereof as practicable, in which they will have a life estate, with a reversion in fee simple to their children, reserving to the widow her dower, the register of whose names is to be filed in the office of the Cherokee agent, which shall be kept open until the census is taken as stipulated in the third article of this treaty: *Provided*, That if any of the heads of families for whom reservations may be made should remove therefrom, then, in that case, the right to revert to the United States: *And provided further*, That the land which may be reserved under this article be de-

2100 ducted from the amount which has been ceded under the first  
2101 and second articles of this treaty.

2102 ARTICLE 9. It is also provided by the contracting parties,  
2103 that nothing in the foregoing articles shall be construed so as to  
2104 prevent any of the parties so contracting from the free naviga-  
2105 tion of all the waters mentioned therein.

2106 ARTICLE 10. The whole of the Cherokee Nation do hereby  
2107 cede to the United States all right, title, and claim to all reser-  
2108 vations made to Doublehead and others, which were reserved  
2109 to them by a treaty made and entered into at the city of Wash-  
2110 ington, bearing date the seventh of January, one thousand eight  
2111 hundred and six.

2112 ARTICLE 11. It is further agreed that the boundary-lines  
2113 of the lands ceded to the United States by the first and second  
2114 articles of this treaty, and the boundary-line of the lands ceded  
2115 by the United States in the fifth article of this treaty, is to be  
2116 run and marked by a commissioner or commissioners appointed  
2117 by the President of the United States, who shall be accompanied  
2118 by such commissioners as the Cherokees may appoint; due no-  
2119 tice thereof shall be given to the nation.

2120 ARTICLE 12. The United States do also bind themselves to  
2121 prevent the intrusion of any of its citizens within the lands  
2122 ceded by the first and second articles of this treaty, until the  
2123 same shall be ratified by the President and Senate of the  
2124 United States, and duly promulgated.

2125 ARTICLE 13. The contracting parties do also stipulate that  
2126 this treaty shall take effect and be obligatory on the contract-  
2127 ing parties so soon as the same shall be ratified by the Presi-  
2128 dent of the United States, by and with the advice and consent  
2129 of the Senate of the United States.

2130 Proclaimed December 26, 1817.

2131 *Articles of a convention made between John C. Calhoun, Secretary*  
2132 *of War, being specially authorized therefor by the President of*  
2133 *the United States, and the undersigned chiefs and head-men of*  
2134 *the Cherokee Nation of Indians, duly authorized and empow-*  
2135 *ered by said nation, at the city of Washington, on the twenty-*  
2136 *seventh day of February, in the year of our Lord one thou-*  
2137 *sand eight hundred and nineteen.*

2138 Whereas a greater part of the Cherokee Nation have ex-  
2139 pressed an earnest desire to remain on this side of the Missis-  
2140 sippi, and being desirous, in order to commence those measures  
2141 which they deem necessary to the civilization and preservation  
2142 of their nation, that the treaty between the United States and

2143 them, signed the eighth of July, eighteen hundred and seven-  
 2144 teen, might, without further delay, or the trouble or expense of  
 2145 taking the census, as stipulated in the said treaty, be finally  
 2146 adjusted, have offered to cede to the United States a tract of  
 2147 country at least as extensive as that which they probably are  
 2148 entitled to under its provisions, the contracting parties have  
 2149 agreed to and concluded the following articles:

2150       ARTICLE 1. The Cherokee Nation cedes to the United  
 2151 States all of their lands lying north and east of the following  
 2152 line, viz: Beginning on the Tennessee River, at the point where  
 2153 the Cherokee boundary with Madison County, in the Alabama  
 2154 territory, joins the same; thence along the main channel of  
 2155 said river to the mouth of the Highwassee; thence along its  
 2156 main channel to the first hill which closes in on said river,  
 2157 about two miles above Highwassee Old Town; thence along  
 2158 the ridge which divides the waters of the Highwassee and  
 2159 Little Tellico, to the Tennessee River, at Tallassee; thence  
 2160 along the main channel to the junction of the Cowee and Nan-  
 2161 teyalee; thence along the ridge in the fork of said river to the  
 2162 top of the Blue Ridge; thence along the Blue Ridge to the  
 2163 Unicoy Turnpike Road; thence by a straight line to the near-  
 2164 est main source of the Chestatee; thence along its main chan-  
 2165 nel to the Chatahouchee; and thence to the Creek bound-  
 2166 ary; it being understood that all the islands in the Chesta-  
 2167 tee, and the parts of the Tennessee and Highwassee, (with  
 2168 the exception of Jolly's Island, in the Tennessee, near the  
 2169 mouth of the Highwassee,) which constitute a portion of the  
 2170 present boundary, belong to the Cherokee Nation; and it is  
 2171 also understood that the reservations contained in the second  
 2172 article of the treaty of Tellico, signed the twenty-fifth Octo-  
 2173 ber, eighteen hundred and five, and a tract equal to twelve  
 2174 miles square, to be located by commencing at the point formed  
 2175 by the intersection of the boundary-line of Madison County,  
 2176 already mentioned, and the north bank of the Tennessee  
 2177 River; thence along the said line and up the said river twelve  
 2178 miles, are ceded to the United States, in trust for the Cherokee  
 2179 Nation as a school fund; to be sold by the United States, and  
 2180 the proceeds vested as is hereafter provided in the fourth article  
 2181 of this treaty; and, also, that the rights vested in the Unicoy  
 2182 Turnpike Company by the Cherokee Nation, according to certi-  
 2183 fied copies of the instruments securing the rights and herewith  
 2184 annexed, are not to be affected by this treaty; and it is further  
 2185 understood and agreed by the said parties that the lands hereby  
 2186 ceded by the Cherokee Nation are in full satisfaction of all  
 2187 claims which the United States have on them, on account of the  
 2188 cession to a part of their nation who have or may hereafter

2189 emigrate to the Arkansaw; and this treaty is a final adjustment  
2190 of that of the eighth of July, eighteen hundred and seventeen.

2191       ARTICLE 2. The United States agree to pay, according to the  
2192 stipulations contained in the treaty of the eighth of July, eight-  
2193 een hundred and seventeen, for all improvements on land lying  
2194 within the country ceded by the Cherokees, which add real value  
2195 to the land, and do agree to allow a reservation of six hundred  
2196 and forty acres to each head of any Indian family residing within  
2197 the ceded territory, those enrolled for the Arkansaw excepted,  
2198 who choose to become citizens of the United States, in the man-  
2199 ner stipulated in said treaty.

2200       ARTICLE 3. It is also understood and agreed by the con-  
2201 tracting parties that a reservation, in fee simple, of six hundred  
2202 and forty acres square, with the exception of Major Walker's,  
2203 which is to be located as is hereafter provided, to include their  
2204 improvements, and which are to be as near the centre thereof  
2205 as possible, shall be made to each of the persons whose names  
2206 are inscribed on the certified list annexed to this treaty, all of  
2207 whom are believed to be persons of industry, and capable of  
2208 managing their property with discretion, and have, with few ex-  
2209 ceptions, made considerable improvements on the tracts reserved.  
2210 The reservations are made on the condition that those for whom  
2211 they are intended shall notify, in writing, to the agent for the  
2212 Cherokee Nation within six months after the ratification of this  
2213 treaty, that it is their intention to continue to reside perma-  
2214 nently on the land reserved.

2215       The reservation for Lewis Ross, so to be laid off as to include  
2216 his house and out-buildings, and ferry adjoining the Cherokee  
2217 agency, reserving to the United States all the public property  
2218 there, and the continuance of the said agency where it now is,  
2219 during the pleasure of the Government; and Major Walker's,  
2220 so as to include his dwelling-house and ferry; for Major Walker  
2221 an additional reservation is made of six hundred and forty acres  
2222 square, to include his grist and saw mill; the land is poor, prin-  
2223 cipally valuable for its timber. In addition to the above reser-  
2224 vations, the following are made, in fee simple, the persons for  
2225 whom they are intended not residing on the same: To Cabbin  
2226 Smith six hundred and forty acres, to be laid off in equal parts  
2227 on both sides of his ferry on Tellico, commonly called Blair's  
2228 ferry; to John Ross six hundred and forty acres, to be laid off  
2229 so as to include the Big Island in Tennessee River, being the  
2230 first below Tellico—which tracts of land were given many years  
2231 since, by the Cherokee Nation, to them; to Mrs. Eliza Ross, step-  
2232 daughter of Major Walker, six hundred and forty acres square,  
2233 to be located on the river below and adjoining Major Walker's;  
2234 to Margaret Morgan six hundred and forty acres square, to be

2235 located on the west of and adjoining James Riley's reservation ;  
 2236 to George Harlin six hundred and forty acres square, to be  
 2237 located west of and adjoining the reservation of Margaret Mor-  
 2238 gan ; to James Lowry six hundred and forty acres square, to be  
 2239 located at Crow Mocker's old place, at the foot of Cumberland  
 2240 Mountain ; to Susannah Lowry six hundred and forty acres, to  
 2241 be located at the toll-bridge on Battle Creek ; to Nicholas Byers  
 2242 six hundred and forty acres, including the Toqua Island, to be  
 2243 located on the north bank of the Tennessee, opposite to said  
 2244 island.

2245 ARTICLE 4. The United States stipulate that the reserva-  
 2246 tions, and the tract reserved for the school fund, in the first  
 2247 article of this treaty, shall be surveyed and sold in the same  
 2248 manner, and on the same terms, with the public lands of the  
 2249 United States, and the proceeds vested, under the direction of  
 2250 the President of the United States, in the stock of the United  
 2251 States, or such other stock as he may deem most advantageous  
 2252 to the Cherokee Nation. The interest or dividend on said stock  
 2253 shall be applied, under his direction, in the manner which he  
 2254 shall judge best calculated to diffuse the benefits of education  
 2255 among the Cherokee Nation on this side of the Mississippi.

2256 ARTICLE 5. It is agreed that such boundary-lines as may be  
 2257 necessary to designate the lands ceded by the first article of this  
 2258 treaty may be run by a commissioner or commissioners to be  
 2259 appointed by the President of the United States, who shall be  
 2260 accompanied by such commissioners as the Cherokees may ap-  
 2261 point, due notice thereof to be given to the nation ; and that the  
 2262 leases which have been made under the treaty of the eighth of  
 2263 July, eighteen hundred and seventeen, of land lying within the  
 2264 portion of country reserved to the Cherokees, to be void ; and  
 2265 that all white people who have intruded, or may hereafter in-  
 2266 trude, on the land reserved for the Cherokees, shall be removed  
 2267 by the United States, and proceeded against according to the  
 2268 provisions of the act passed thirtieth March, eighteen hundred  
 2269 and two, entitled "An act to regulate trade and intercourse with  
 2270 the Indian tribes, and to preserve peace on the frontiers."

2271 ARTICLE 6. The contracting parties agree that the annuity  
 2272 to the Cherokee Nation shall be paid, two-thirds to the Chero-  
 2273 kees east of the Mississippi, and one-third to the Cherokees  
 2274 west of that river, as it is estimated that those who have emi-  
 2275 grated, and who have enrolled for emigration, constitute one-  
 2276 third of the whole nation ; but if the Cherokees west of the  
 2277 Mississippi object to this distribution, of which due notice shall  
 2278 be given them, before the expiration of one year after the ratifi-  
 2279 cation of this treaty, then the census, solely for distributing the

2280 annuity, shall be taken at such times and in such manner as the  
 2281 President of the United States may designate.

2282       ARTICLE 7. The United States, in order to afford the Chero-  
 2283 kees who reside on the lands ceded by this treaty time to culti-  
 2284 vate their crop next summer, and for those who do not choose  
 2285 to take reservations to remove, bind themselves to prevent the  
 2286 intrusion of their citizens on the ceded land before the first of  
 2287 January next.

2288       ARTICLE 8. This treaty to be binding on the contracting  
 2289 parties so soon as it is ratified by the President of the United  
 2290 States, by and with the advice and consent of the Senate.

2291 *List of persons referred to in the third article of the annexed*  
 2292 *treaty.*

2293       Richard Walker, within the chartered limits of North Caro-  
 2294 lina.

2295       Yonah, alias Big Bear, within the chartered limits of North  
 2296 Carolina.

2297       John Martin, within the chartered limits of Georgia.

2298       Peter Linch, within the chartered limits of Georgia.

2299       Daniel Davis, within the chartered limits of Georgia.

2300       George Parriſ, within the chartered limits of Georgia.

2301       Walter S. Adair, within the chartered limits of Georgia.

2302       Thomas Wilson, within the chartered limits of Alabama  
 2303 Territory.

2304       Richard Riley, within the chartered limits of Alabama Ter-  
 2305 ritory.

2306       James Riley, within the chartered limits of Alabama Terri-  
 2307 tory.

2308       Edward Gunter, within the chartered limits of Alabama  
 2309 Territory.

2310       Robert McLemore, within the chartered limits of Tennessee.

2311       John Baldridge, within the chartered limits of Tennessee.

2312       Lewis Ross, within the chartered limits of Tennessee.

2313       Fox Taylor, within the chartered limits of Tennessee.

2314       Rd. Timberlake, within the chartered limits of Tennessee.

2315       David Fields, (to include his mill,) within the chartered  
 2316 limits of Tennessee.

2317       James Brown, (to include his field by the long pond,) within  
 2318 the chartered limits of Tennessee.

2319       William Brown, within the chartered limits of Tennessee.

2320       John Brown, within the chartered limits of Tennessee.

2321       Elizabeth Lowry, within the chartered limits of Tennessee.

2322       George Lowry, within the chartered limits of Tennessee.

2323       John Benge, within the chartered limits of Tennessee.

2324	Mrs. Eliz. Peck, within the chartered limits of Tennessee.	
2325	John Walker, sr., within the chartered limits of Tennessee.	
2326	John Walker, jr., (unmarried,) within the chartered limits	
2327	of Tennessee.	
2328	Richard Taylor, within the chartered limits of Tennessee.	
2329	John McIntosh, within the chartered limits of Tennessee.	
2330	James Starr, within the chartered limits of Tennessee.	
2331	Samuel Parks, within the chartered limits of Tennessee.	
2332	The Old Bark, (of Chota,) within the chartered limits of	
2333	Tennessee.	
2334	Number of reservees within the limits of North Carolina...	2
2335	Number of reservees within the limits of Georgia.....	5
2336	Number of reservees within the limits of Alabama Territory.	4
2337	Number of reservees within the limits of Tennessee.....	20
2338		—
2339	Total number of reservees.....	31

2340                    CHEROKEE AGENCY, HIGHWASSEE GARRISON.

2341            We, the undersigned chiefs and councillors of the Cherokees  
 2342 in full council assembled, do hereby give, grant, and make over  
 2343 unto Nicholas Byers and David Russell, who are agents in behalf  
 2344 of the States of Tennessee and Georgia, full power and authority  
 2345 to establish a turnpike company, to be composed of them, the  
 2346 said Nicholas and David, Arthur Henly, John Lowry, Atto, and  
 2347 one other person, by them to be hereafter named, in behalf of  
 2348 the State of Georgia; and the above-named persons are author-  
 2349 ized to nominate five proper and fit persons, natives of the  
 2350 Cherokees, who, together with the white men aforesaid, are to  
 2351 constitute the company; which said company, when thus estab-  
 2352 lished, are hereby fully authorized by us to lay out and open a  
 2353 road from the most suitable point on the Tennessee River to be  
 2354 directed the nearest and best way to the highest point of navi-  
 2355 gation on the Tugolo River; which said road, when opened and  
 2356 established, shall continue and remain a free and public highway,  
 2357 unmolested by us, to the interest and benefit of the said com-  
 2358 pany, and their successors, for the full term of twenty years, yet  
 2359 to come, after the same may be open and compleat; after which  
 2360 time, said road, with all its advantages, shall be surrendered up,  
 2361 and reverted in, the said Cherokee Nation. And the said com-  
 2362 pany shall have leave, and are hereby authorized, to erect their  
 2363 public stands, or houses of entertainment, on said road; that  
 2364 is to say, one at each end, and one in the middle, or as nearly  
 2365 so as a good situation will permit, with leave also to cultivate  
 2366 one hundred acres of land at each end of the road, and fifty  
 2367 acres at the middle stand, with a privilege of a sufficiency of  
 2368 timber for the use and consumption of said stands. And the

2369 said turnpike company do hereby agree to pay the sum of one  
 2370 hundred and sixty dollars yearly to the Cherokee Nation for  
 2371 the aforesaid privilege, to commence after said road is opened  
 2372 and in complete operation. The said company are to have the  
 2373 benefit of one ferry on Tennessee River, and such other ferry or  
 2374 ferries as are necessary on said road; and, likewise, said com-  
 2375 pany shall have the exclusive privilege of trading on said road  
 2376 during the aforesaid term of time.

2377 CHEROKEE AGENCY, January 6, 1817.

2378 We, the undersigned chiefs of the Cherokee Nation, do  
 2379 hereby grant unto Nicholas Byers, Arthur H. Henly, and David  
 2380 Russell, proprietors of the Unicoy road to Georgia, the liberty  
 2381 of cultivating all the ground contained in the bend on the north  
 2382 side of Tennessee River opposite and below Chota Old Town,  
 2383 together with the liberty to erect a grist-mill on Four Mile  
 2384 Creek, for the use and benefit of said road, and the Cherokees  
 2385 in the neighbourhood thereof; for them, the said Byers, Henly,  
 2386 and Russell, to have and to hold the above privileges during  
 2387 the term of lease of the Unicoy road, also obtained from the  
 2388 Cherokees, and sanctioned by the President of the United  
 2389 States.

2390 . Proclaimed March 10, 1819.

2391 *Articles of a convention concluded at the city of Washington this*  
 2392 *sixth day of May, in the year of our Lord one thousand eight*  
 2393 *hundred and twenty-eight, between James Barbour, Secretary*  
 2394 *of War, being especially authorized therefor by the President*  
 2395 *of the United States, and the undersigned, chiefs and head-*  
 2396 *men of the Cherokee Nation of Indians west of the Missis-*  
 2397 *sippi, they being duly authorized and empowered by their*  
 2398 *nation.*

2399 Whereas it being the anxious desire of the Government of  
 2400 the United States to secure to the Cherokee Nation of Indians,  
 2401 as well those now living within the limits of the Territory of  
 2402 Arkansas as those of their friends and brothers who reside in  
 2403 States east of the Mississippi, and who may wish to join their  
 2404 brothers of the West, a *permanent* home, and which shall, under  
 2405 the most solemn guarantee of the United States, be and remain  
 2406 theirs forever—a home that shall never, in all future time, be  
 2407 embarrassed by having extended around it the lines, or placed  
 2408 over it the jurisdiction of a Territory or State, nor be pressed  
 2409 upon by the extension, in any way, of any of the limits of any  
 2410 existing Territory or State; and

2411 Whereas the present location of the Cherokees in Arkansas

2412 being unfavourable to their present repose, and tending, as the  
 2413 past demonstrates, to their future degradation and misery; and  
 2414 the Cherokees being anxious to avoid such consequences, and  
 2415 yet not questioning their right to their lands in Arkansas, as  
 2416 secured to them by treaty, and resting also upon the pledges  
 2417 given them by the President of the United States, and the  
 2418 Secretary of War, of March, 1818, and 8th of October, 1821, in  
 2419 regard to the outlet to the West, and as may be seen on refer-  
 2420 ring to the records of the War Department, still being anxious  
 2421 to secure a permanent home, and to free themselves and their  
 2422 posterity from an embarrassing connexion with the Territory of  
 2423 Arkansas, and guard themselves from such connexions in future;  
 2424 and

2425 Whereas it being important, not to the Cherokees only, but  
 2426 also to the Choctaws, and in regard also to the question which  
 2427 may be agitated in the future respecting the location of the  
 2428 latter, as well as the former, within the limits of the Territory  
 2429 or State of Arkansas, as the case may be, and their removal  
 2430 therefrom; and to avoid the cost which may attend negotiations  
 2431 to rid the Territory or State of Arkansas whenever it may  
 2432 become a State of either or both of those tribes, the parties  
 2433 hereto do hereby conclude the following articles, viz:

2434 ARTICLE 1. The western boundary of Arkansas shall be, and  
 2435 the same is, hereby defined, viz: A line shall be run, commenc-  
 2436 ing on Red River, at the point where the eastern Choctaw line  
 2437 strikes said river and run due north with said line to the river  
 2438 Arkansas, thence in a direct line to the southwest corner of  
 2439 Missouri.

2440 ARTICLE 2. The United States agree to possess the Chero-  
 2441 kees and to guarantee it to them forever, and that guarantee is  
 2442 hereby solemnly pledged, of seven millions of acres of land, to  
 2443 be bounded as follows, viz: Commencing at that point on Ar-  
 2444 kansas River where the eastern Choctaw boundary line strikes  
 2445 said river, and running thence with the western line of Arkansas,  
 2446 as defined in the foregoing article, to the southwest corner of  
 2447 Missouri, and thence with the western boundary line of Missouri  
 2448 till it crosses the waters of Neasho, generally called Grand  
 2449 River; thence due west to a point from which a due south course  
 2450 will strike the present northwest corner of Arkansas Territory;  
 2451 thence continuing due south, on and with the present western  
 2452 boundary line of the Territory to the main branch of Arkansas  
 2453 River; thence down said river to its junction with the Canadian  
 2454 River; and thence up and between the said rivers Arkansas and  
 2455 Canadian, to a point at which a line running north and south  
 2456 from river to river will give the aforesaid seven millions of  
 2457 acres. In addition to the seven millions of acres thus provided

2458 for and bounded, the United States further guarantee to the  
 2459 Cherokee Nation a perpetual outlet west, and a free and unmo-  
 2460 lested use of all the country lying west of the western boundary  
 2461 of the above described limits, and as far west as the sovereignty  
 2462 of the United States and their right of soil extend.

2463 ARTICLE 3. The United States agree to have the lines of  
 2464 the above cession run without delay, say not later than the first  
 2465 of October next, and to remove, immediately after the running  
 2466 of the eastern line from the Arkansas River to the southwest  
 2467 corner of Missouri, all white persons from the west to the east  
 2468 of said line, and also all others, should there be any there, who  
 2469 may be unacceptable to the Cherokees, so that no obstacles  
 2470 arising out of the presence of a white population, or a popula-  
 2471 tion of any other sort, shall exist to annoy the Cherokees ; and  
 2472 also to keep all such from the west of said line in future.

2473 ARTICLE 4. The United States moreover agree to appoint  
 2474 suitable persons, whose duty it shall be, in conjunction with the  
 2475 agent, to value all such improvements as the Cherokees may  
 2476 abandon in their removal from their present homes to the dis-  
 2477 trict or country as ceded in the second article of this agreement,  
 2478 and to pay for the same immediately after the assessment is  
 2479 made and the amount ascertained. It is further agreed, that  
 2480 the property and improvements connected with the agency shall  
 2481 be sold under the direction of the agent, and the proceeds of  
 2482 the same applied to aid in the erection, in the country to which  
 2483 the Cherokees are going, of a grist and saw mill for their use.  
 2484 The aforesaid property and improvements are thus defined :  
 2485 Commence at the Arkansas River, opposite William Stinnett's,  
 2486 and run due north one mile ; thence due east to a point from  
 2487 which a due south line to the Arkansas River would include the  
 2488 chalybeate or mineral spring attached to or near the present  
 2489 residence of the agent, and thence up said river (Arkansas) to  
 2490 the place of beginning.

2491 ARTICLE 5. It is further agreed, that the United States, in  
 2492 consideration of the inconvenience and trouble attending the  
 2493 removal, and on account of the reduced value of a great portion  
 2494 of the lands herein ceded to the Cherokees, as compared with  
 2495 that of those in Arkansas which were made theirs by the treaty  
 2496 of 1817 and convention of 1819, will pay to the Cherokees,  
 2497 immediately after their removal, which shall be within fourteen  
 2498 months of the date of this agreement, the sum of fifty thousand  
 2499 dollars ; also, an annuity, for three years, of two thousand dol-  
 2500 lars, towards defraying the cost and trouble which may attend  
 2501 upon going after and recovering their stock which may stray  
 2502 into the Territory in quest of the pastures from which they may  
 2503 be driven ; also, eight thousand seven hundred and sixty dol-

lars, for spoliations committed on them, (the Cherokees,) which sum will be in full of all demands of the kind up to this date, as well those against the Osages as those against citizens of the United States, this being the amount of the claims for said spoliations as rendered by the Cherokees, and which are believed to be correctly and fairly stated. Also, one thousand two hundred dollars for the use of Thomas Graves, a Cherokee chief, for losses sustained in his property, and for personal suffering endured by him when confined as a prisoner, on a criminal but false accusation; also, five hundred dollars for the use of George Guess, another Cherokee, for the great benefits he has conferred upon the Cherokee people, in the beneficial results which they are now experiencing from the use of the alphabet discovered by him, to whom also, in consideration of his relinquishing a valuable saline, the privilege is hereby given to locate and occupy another saline on Lee's Creek. It is further agreed by the United States to pay two thousand dollars, annually, to the Cherokees, for ten years, to be expended under the direction of the President of the United States in the education of their children, in their own country, in letters and the mechanic arts; also, one thousand dollars toward the purchase of a printing press and types to aid the Cherokees in the progress of education, and to benefit and enlighten them as a people, in their own and our language. It is agreed further, that the expense incurred other than that paid by the United States in the erection of the buildings and improvements, so far as that may have been paid by the benevolent society who have been, and yet are. engaged in instructing the Cherokee children, shall be paid to the society, it being the understanding that the amount shall be expended in the erection of other buildings and improvements, for like purposes, in the country herein ceded to the Cherokees. The United States relinquish their claim due by the Cherokees to the late United States factory, provided the same does not exceed three thousand five hundred dollars.

ARTICLE 6. Annulled.

ARTICLE 7. The chiefs and head-men of the Cherokee Nation aforesaid, for and in consideration of the foregoing stipulations and provisions, do hereby agree, in the name and behalf of their nation, to give up, and they do hereby surrender, to the United States, and agree to leave the same within fourteen months, as herein before stipulated, all the lands to which they are entitled in Arkansas, and which were secured to them by the treaty of 8th January, 1817, and the convention of the 27th February, 1819.

ARTICLE 8. The Cherokee Nation west of the Mississippi having, by this agreement, freed themselves from the harass-

2550 ing and ruinous effects consequent upon a location amidst a  
 2551 white population, and secured to themselves and their posterity,  
 2552 under the solemn sanction of the guarantee of the United States,  
 2553 as contained in this agreement, a large extent of unembarrassed  
 2554 country; and that their brothers yet remaining in the States  
 2555 may be induced to join them and enjoy the repose and blessings  
 2556 of such a State in the future, it is further agreed, on the part of  
 2557 the United States, that to each head of a Cherokee family now  
 2558 residing within the chartered limits of Georgia, or of either of  
 2559 the States east of the Mississippi, who may desire to remove  
 2560 West, shall be given, on enrolling himself for emigration, a good  
 2561 rifle, a blanket, and kettle, and five pounds of tobacco, (and to  
 2562 each member of his family one blanket;) also, a just compensa-  
 2563 tion for the property he may abandon, to be assessed by per-  
 2564 sons to be appointed by the President of the United States. The  
 2565 cost of the emigration of all such shall also be borne by the  
 2566 United States, and good and suitable ways opened, and pro-  
 2567 visions procured for their comfort, accommodation, and support,  
 2568 by the way, and provisions for twelve months after their arrival  
 2569 at the agency; and to each person, or head of a family, if he takes  
 2570 along with him four persons, shall be paid immediately on his  
 2571 arriving at the agency and reporting himself and his family, or  
 2572 followers, as emigrants and permanent settlers, in addition to the  
 2573 above, *provided he and they shall have emigrated from within the*  
 2574 *chartered limits of the State of Georgia,* the sum of fifty dollars,  
 2575 and this sum in proportion to any greater or less number that  
 2576 may accompany him from within the aforesaid chartered limits  
 2577 of the State of Georgia.

2578 ARTICLE 9. It is understood and agreed by the parties to this  
 2579 convention that a tract of land, two miles wide and six miles  
 2580 long, shall be, and the same is hereby, reserved for the use and  
 2581 benefit of the United States, for the accommodation of the mili-  
 2582 tary force which is now, or which may hereafter be, stationed at  
 2583 Fort Gibson, on the Neasho, or Grand River, to commence on  
 2584 said river half a mile below the aforesaid fort, and to run  
 2585 thence due east two miles, thence northwardly six miles, to a  
 2586 point which shall be two miles distant from the river aforesaid,  
 2587 thence due west to the said river, and down it to the place of  
 2588 beginning. And the Cherokees agree that the United States  
 2589 shall have and possess the right of establishing a road through  
 2590 their country for the purpose of having a free and unmolested  
 2591 way to and from said fort.

2592 ARTICLE 10. It is agreed that Captain James Rogers, in con-  
 2593 sideration of his having lost a horse in the service of the United  
 2594 States, and for services rendered by him to the United States,

2595 shall be paid, in full for the above, and all other claims for losses  
2596 and services, the sum of five hundred dollars.

2597 ARTICLE 11. This treaty to be binding on the contracting  
2598 parties so soon as it is ratified by the President of the United  
2599 States, by and with the advice and consent of the Senate.

2600 Proclaimed May 28, 1828.

2601 [NOTE.—This treaty was ratified with the following proviso,  
2602 expressed in the resolution of the Senate: "Provided, neverthe-  
2603 less, that the said convention shall not be so construed as to ex-  
2604 tend the northern boundary of the 'Perpetual Outlet West,'  
2605 provided for and guaranteed in the second article of said con-  
2606 vention, north of the thirty-sixth degree of north latitude, or so  
2607 as to interfere with the lands assigned, or to be assigned, west  
2608 of the Mississippi River, to the Creek Indians who have emi-  
2609 grated, or may emigrate, from the States of Georgia and Ala-  
2610 bama, under the provisions of any treaty or treaties heretofore  
2611 concluded between the United States and the Creek tribe of In-  
2612 dians; and provided further, that nothing in the said conven-  
2613 tion shall be construed to cede or assign to the Cherokees any  
2614 lands heretofore ceded or assigned to any tribe or tribes of In-  
2615 dians, by any treaty now existing and in force, with any such  
2616 tribe or tribes."]

2617 *Articles of agreement and convention made and concluded at Fort*  
2618 *Gibson, on the Arkansas River, on the fourteenth day of Feb-*  
2619 *ruary, one thousand eight hundred and thirty-three, by and be-*  
2620 *tween Montfort Stokes, Henry L. Ellsworth, and John F. Scher-*  
2621 *merhorn, duly appointed commissioners on the part of the*  
2622 *United States, and the undersigned chiefs and head-men of the*  
2623 *Cherokee Nation of Indians west of the Mississippi, they being*  
2624 *duly authorized and empowered by their nation.*

2625 Whereas articles of convention were concluded at the city  
2626 of Washington, on the sixth day of May, one thousand eight  
2627 hundred and twenty-eight, between James Barbour, Secretary  
2628 of War, being specially authorized therefor by the President  
2629 of the United States, and the chiefs and head-men of the Cheero-  
2630 kee Nation of Indians west of the Mississippi, which articles of  
2631 convention were duly ratified; and

2632 Whereas it was agreed by the second article of said conven-  
2633 tion as follows: "That the United States agree to possess the  
2634 Cheerokees, and to guarantee it to them forever, and that guarantee  
2635 is solemnly pledged, of seven millions of acres of land, said land to  
2636 be bounded as follows, viz: commencing at a point on Arkansas  
2637 River, where the eastern Choctaw boundary-line strikes said river.

2638 and running thence with the western line of Arkansas Territory to  
 2639 the southwest corner of Missouri, and thence with the western  
 2640 boundary-line of Missouri till it crosses the waters of Neasho, gen-  
 2641 erally called Grand River; thence due west, to a point from which  
 2642 a due south course will strike the present northwest corner of  
 2643 Arkansas Territory; thence continuing due south on and with  
 2644 the present boundary-line on the west of said Territory, to the  
 2645 main branch of Arkansas River; thence down said river to its  
 2646 junction with the Canadian, and thence up, and between said  
 2647 rivers Arkansas and Canadian, to a point at which a line running  
 2648 north and south, from river to river, will give the aforesaid seven  
 2649 millions of acres, thus provided for and bounded. The United  
 2650 States further guarantee to the Cherokee Nation a perpetual  
 2651 outlet west, and a free and unmolested use of all the country  
 2652 lying west of the western boundary of the above-described  
 2653 limits, and as far west as the sovereignty of the United States  
 2654 and their right of soil extend; and

2655 Whereas there was to said articles of convention and agree-  
 2656 ment the following proviso, viz: *Provided, nevertheless*, That said  
 2657 convention shall not be so construed as to extend the northern  
 2658 boundary of said perpetual outlet west, provided for and guar-  
 2659 antied in the second article of said convention, north of the  
 2660 thirty-sixth degree of north latitude, or so as to inter-  
 2661 fere with the lands assigned, or to be assigned, west of the  
 2662 Mississippi River, to the Creek Indians who have emigrated, or  
 2663 may emigrate, from the States of Georgia and Alabama, under  
 2664 the provision of any treaty, or treaties, heretofore concluded,  
 2665 between the United States and the Creek tribe of Indians: *And*  
 2666 *provided further*, That nothing in said convention shall be con-  
 2667 strued to cede, or assign, to the Cherokees any lands heretofore  
 2668 ceded, or assigned, to any tribe, or tribes of Indians, by any  
 2669 treaty now existing and in force with any such tribe or tribes;"

2670 and  
 2671 Whereas it appears from the Creek treaty, made with the  
 2672 United States by the Creek Nation, dated twenty-fourth day of  
 2673 January, eighteen hundred and twenty-six, at the city of Wash-  
 2674 ington, that they had the right to select, and did select, a part  
 2675 of the country described within the boundaries mentioned above  
 2676 in said Cherokee articles of agreement; and

2677 Whereas both the Cherokee and Creek nations of Indians  
 2678 west of the Mississippi, anxious to have their boundaries settled  
 2679 in an amicable manner, have met each other in council, and,  
 2680 after full deliberation, mutually agreed upon the boundary-lines  
 2681 between them:

2682 Now, therefore, the United States on one part, and the chiefs

2683 and head-men of the Cherokee Nation of Indians west of the  
2684 Mississippi on the other part, agree as follows :

2685       ARTICLE 1. The United States agree to possess the Cheer-  
2686 okees, and to guarantee it to them forever, and that guarantee  
2687 is hereby pledged, of seven millions of acres of land, to be  
2688 bounded as follows, viz : Beginning at a point on the old west-  
2689 ern territorial line of Arkansas Territory, being twenty-five miles  
2690 north from the point where the territorial line crosses Arkansas  
2691 River ; thence running from said north point, south, on the said  
2692 territorial line, to the place where said territorial line crosses  
2693 the Verdigris River ; thence down said Verdigris River to the  
2694 Arkansas River ; thence down said Arkansas to a point where  
2695 a stone is placed opposite to the east or lower bank of Grand  
2696 River at its junction with the Arkansas ; thence running south,  
2697 forty-four degrees west, one mile ; thence in a straight line to a  
2698 point four miles northerly from the mouth of the North Fork of  
2699 the Canadian ; thence along the said four-miles line to the Ca-  
2700 nadian ; thence down the Canadian to the Arkansas ; thence  
2701 down the Arkansas to that point on the Arkansas where the  
2702 eastern Choctaw boundary strikes said river ; and running thence  
2703 with the western line of Arkansas Territory as now defined, to  
2704 the southwest corner of Missouri ; thence along the western Mis-  
2705 souri line to the land assigned the Senecas ; thence on the south  
2706 line of the Senecas to Grand River ; thence up said Grand River  
2707 as far as the south line of the Osage reservation, extended if  
2708 necessary ; thence up and between said south Osage line, extended  
2709 west if necessary ; and a line drawn due west from the point of  
2710 beginning, to a certain distance west, at which a line running  
2711 north and south from said Osage line to said due west line will  
2712 make seven millions of acres within the whole described bound-  
2713 aries. In addition to the seven millions of acres of land, thus  
2714 provided for, and bounded, the United States further guarantee  
2715 to the Cheerokee Nation a perpetual outlet west and a free and  
2716 unmolested use of all the country lying west of the western  
2717 boundary of said seven millions of acres as far west as the sov-  
2718 ereignty of the United States and their right of soil extend :  
2719 *Provided, however,* That if the saline, or salt plain, on the great  
2720 western prairie, shall fall within said limits prescribed for said  
2721 outlet, the right is reserved to the United States to permit  
2722 other tribes of red men to get salt on said plain in common with  
2723 the Cheerokees ; and letters-patent shall be issued by the United  
2724 States as soon as practicable for the land hereby guaranteed.

2725       ARTICLE 2. The Cheerokee Nation hereby relinquish and  
2726 quit claim to the United States all the right, interest, and title  
2727 which the Cheerokees have or claim to have in and to all the  
2728 land ceded, or claimed to have been ceded to said Cheerokee Na-

2729 tion by said treaty of sixth of May, one thousand eight hundred  
2730 and twenty-eight, and not embraced within the limits or bounda-  
2731 ries fixed in this present supplementary treaty or articles of  
2732 convention and agreement.

2733 ARTICLE 3. The Cherokee Nation, having particularly re-  
2734 quested the United States to annul and cancel the sixth article  
2735 of said treaty of sixth May, one thousand eight hundred and  
2736 twenty eight, the United States agree to cancel the same, and  
2737 the same is hereby annulled. Said sixth article referred to  
2738 is in the following words: "It is moreover agreed by the United  
2739 States, when the Cheerokees may desire it, to give them a plain  
2740 set of laws, suited to their condition; also, when they may wish to  
2741 lay off their lands and own them individually, a surveyor shall  
2742 be sent to survey them at the expense of the United States.

2743 ARTICLE 4. In consideration of the establishment of new  
2744 boundaries in part, for the lands ceded to said Cheerokee Nation  
2745 and in view of the improvement of said nation, the United  
2746 States will cause to be erected, on land now guarranteed to the  
2747 said nation, four blacksmith shops, one wagon-maker shop, one  
2748 wheelwright shop, and necessary tools and implements furnished  
2749 for the same; together with one ton of iron, and two hundred  
2750 and fifty pounds of steel, for each of said blacksmith shops, to  
2751 be worked up for the benefit of the poorer class of red men  
2752 belonging to the Cherokee Nation. And the United States will  
2753 employ four blacksmiths, one wagon-maker, and one wheelwright,  
2754 to work in said shops respectively, for the benefit of said Cheer-  
2755 okee Nation; and said materials shall be furnished annually,  
2756 and said services continued, so long as the President may deem  
2757 proper. And said United States will cause to be erected on  
2758 said lands, for the benefit of said Cheerokees, eight patent rail-  
2759 way corn mills, in lieu of the mills to be erected according to  
2760 the stipulation of the fourth article of said treaty of sixth of  
2761 May, one thousand eight hundred twenty-eight, from the avails  
2762 of the sale of the old agency.

2763 ARTICLE 5. These articles of agreement and convention  
2764 are to be considered supplementary to the treaty before men-  
2765 tioned between the United States and the Cheerokee Nation west  
2766 of the Mississippi, dated sixth of May, one thousand eight hun-  
2767 dred and twenty-eight, and not to vary the rights of the parties  
2768 to said treaty, any further than said treaty is inconsistent with  
2769 the provisions of this treaty, now concluded, or these articles of  
2770 convention and agreement.

2771 ARTICLE 6. It is further agreed by the Cheerokee Nation  
2772 that one mile square shall be reserved and set apart from the  
2773 lands hereby guaranteed for the accommodation of the Cheero-  
2774 kee agency; and the location of the same shall be designated

2775 by the Cheerokee Nation, in conjunction with the agent of the  
2776 Government of the United States.

2777 ARTICLE 7. This treaty, or articles of convention, after the  
2778 same have been ratified by the President and Senate, shall be  
2779 obligatory on the United States and said Cheerokee Nation.

2780 Proclaimed April 12, 1834.

2781 *Articles of a treaty concluded at New Echota in the State of*  
2782 *Georgia on the 29th day of Dec'r, 1835, by General William*  
2783 *Carroll and John F. Schermerhorn, commissioners on the part of*  
2784 *the United States, and the chiefs, head men, and people of the*  
2785 *Cherokee tribe of Indians.*

2786 Whereas the Cherokees are anxious to make some arrange-  
2787 ments with the Government of the United States whereby the  
2788 difficulties they have experienced by a residence within the  
2789 settled parts of the United States under the jurisdiction and  
2790 laws of the State governments may be terminated and adjusted ;  
2791 and with a view to reuniting their people in one body and  
2792 securing a permanent home for themselves and their posterity  
2793 in the country selected by their forefathers without the territo-  
2794 rial limits of the State sovereignties, and where they can estab-  
2795 lish and enjoy a government of their choice, and perpetuate such  
2796 a state of society as may be most consonant with their views,  
2797 habits, and condition, and as may tend to their individual com-  
2798 fort and their advancement in civilization ; and

2799 Whereas a delegation of the Cherokee Nation, composed  
2800 of Messrs. John Ross, Richard Taylor, Dan'l McCoy, Samuel  
2801 Gunter, and William Rogers, with full power and authority to  
2802 conclude a treaty with the United States, did on the 28th day  
2803 of February, 1835, stipulate and agree with the Government of  
2804 the United States to submit to the Senate to fix the amount  
2805 which should be allowed the Cherokees for their claims and for  
2806 a cession of their lands east of the Mississippi River, and did  
2807 agree to abide by the award of the Senate of the United States  
2808 themselves, and to recommend the same to their people for  
2809 their final determination ; and

2810 Whereas on such submission the Senate advised "that  
2811 a sum not exceeding five millions of dollars be paid to the  
2812 Cherokee Indians for all their lands and possessions east of the  
2813 Mississippi River ;" and

2814 Whereas this delegation, after said award of the Senate  
2815 had been made, were called upon to submit propositions as to  
2816 its disposition, to be arranged in a treaty, which they refused to  
2817 do, but insisted that the same "should be referred to their  
2818 nation and there in general council to deliberate and determine

2819 on the subject in order to insure harmony and good feeling  
2820 among themselves ;” and

2821 Whereas a certain other delegation, composed of John  
2822 Ridge, Elias Boudinot, Archilla Smith, S. W. Bell, John  
2823 West, W’m A. Davis, and Ezekiel West, who represented  
2824 that portion of the nation in favor of emigration to the Cherokee  
2825 country west of the Mississippi, entered into propositions for a  
2826 treaty with John F. Schermerhorn, commissioner on the part  
2827 of the United States, which were to be submitted to their nation  
2828 for their final action and determination ; and

2829 Whereas the Cherokee people, at their last October coun-  
2830 cil at Red Clay, fully authorized and empowered a delega-  
2831 tion or committee of twenty persons of their nation to enter into  
2832 and conclude a treaty with the United States commissioner then  
2833 present, *at that place or elsewhere*, and as the people had good  
2834 reason to believe that a treaty would then and there be made, or  
2835 at a subsequent council at New Echota, which the commissioners,  
2836 it was well known and understood, were authorized and in-  
2837 structed to convene for said purpose ; and since the said dele-  
2838 gation have gone on to Washington City with a view to close  
2839 negotiations there, as stated by them, notwithstanding they  
2840 were officially informed by the United States commissioner that  
2841 they would not be received by the President of the United  
2842 States, and that the Government would transact no business of  
2843 this nature with them, and that if a treaty was made it must  
2844 be done here in the nation, where the delegation at Washington  
2845 last winter *urged that it should be done for the purpose of promot-*  
2846 *ing peace and harmony among the people ;* and since these facts  
2847 have also been corroborated to us by a communication recently  
2848 received by the commissioner from the Government of the  
2849 United States, and read and explained to the people in open  
2850 council, and therefore believing said delegation can effect  
2851 nothing, and since our difficulties are daily increasing, and our  
2852 situation is rendered more and more precarious, uncertain, and  
2853 insecure in consequence of the legislation of the States ; and  
2854 seeing no effectual way of relief, but in accepting the liberal  
2855 overtures of the United States ; and

2856 Whereas Gen’l William Carroll and John F. Scher-  
2857 merhorn were appointed commissioners on the part of the United  
2858 States, with full power and authority to conclude a treaty with  
2859 the Cherokees east, and were directed by the President to con-  
2860 vene the people of the nation in general council at New Echota,  
2861 and to submit said propositions to them with power and author-  
2862 ity to vary the same so as to meet the views of the Cherokees in  
2863 reference to its details ; and

2864 Whereas the said commissioners did appoint and notify

2865 a general council of the nation to convene at New Echota on the  
 2866 21st day of December, 1835, and informed them that the com-  
 2867 missioners would be prepared to make a treaty with the Chero-  
 2868 kee people who should assemble there, and those who did not  
 2869 come they should conclude gave their assent and sanction to  
 2870 whatever should be transacted at this council, and the people  
 2871 having met in council according to said notice:

2872 Therefore, the following articles of a treaty are agreed upon  
 2873 and concluded between William Carroll and John F. Schermer-  
 2874 horn, commissioners on the part of the United States, and the  
 2875 chiefs and head men and people of the Cherokee Nation, in gen-  
 2876 eral council assembled this 29th day of Dec'r, 1835:

2877 ARTICLE 1. The Cherokee Nation hereby cede, relinquish,  
 2878 and convey to the United States all the lands owned, claimed,  
 2879 or possessed by them east of the Mississippi River, and hereby  
 2880 release all their claims upon the United States for spoliations of  
 2881 every kind, for and in consideration of the sum of five millions  
 2882 of dollars, to be expended, paid, and invested in the manner  
 2883 stipulated and agreed upon in the following articles. But as a  
 2884 question has arisen between the commissioners and the Chero-  
 2885 kees, whether the Senate in their resolution, by which they ad-  
 2886 vised "that a sum not exceeding five millions of dollars be paid  
 2887 to the Cherokee Indians for all their lands and possessions east  
 2888 of the Mississippi River," have included and made any allowance  
 2889 or consideration for claims for spoliations; it is therefore  
 2890 agreed on the part of the United States that this question shall  
 2891 be again submitted to the Senate for their consideration and de-  
 2892 cision, and if no allowance was made for spoliations, that then  
 2893 an additional sum of three hundred thousand dollars be allowed  
 2894 for the same.

2895 ARTICLE 2. Whereas, by the treaty of May 6th, 1823, and  
 2896 the supplementary treaty thereto of Feb. 14th, 1833, with  
 2897 the Cherokees west of the Mississippi, the United States guaran-  
 2898 tied and secured to be conveyed by patent, to the Cherokee Na-  
 2899 tion of Indians, the following tract of country: "Beginning at  
 2900 a point on the old western territorial line of Arkansas Territory,  
 2901 being twenty-five miles north from the point where the territo-  
 2902 rial line crosses Arkansas River; thence running from said north  
 2903 point south on the said territorial line where the said territorial  
 2904 line crosses Verdigris River; thence down said Verdigris River  
 2905 to the Arkansas River; thence down said Arkansas to a point  
 2906 where a stone is placed opposite the east or lower bank of Grand  
 2907 River at its junction with the Arkansas; thence running south  
 2908 forty-four degrees west one mile; thence in a straight line to a  
 2909 point four miles northerly, from the mouth of the north fork of  
 2910 the Canadian; thence along the said four-mile line to the Cana-

2911 dian ; thence down the Canadian to the Arkansas ; thence down  
 2912 the Arkansas to that point on the Arkansas where the eastern  
 2913 Choctaw boundary strikes said river, and running thence with  
 2914 the western line of Arkansas Territory, as now defined, to the  
 2915 southwest corner of Missouri ; thence along the western Missouri  
 2916 line to the land assigned the Senecas ; thence on the south line  
 2917 of the Senecas to Grand River ; thence up said Grand River as  
 2918 far as the south line of the Osage reservation, extended if neces-  
 2919 sary ; thence up and between said south Osage line, extended  
 2920 west if necessary, and a line drawn due west from the point of  
 2921 beginning to a certain distance west, at which a line running  
 2922 north and south from said Osage line to said due west line will  
 2923 make seven millions of acres within the whole described bounda-  
 2924 ries. In addition to the seven millions of acres of land thus pro-  
 2925 vided for and bounded, the United States further guaranty to  
 2926 the Cherokee Nation a perpetual outlet west, and a free and un-  
 2927 molested use of all the country west of the western boundary of  
 2928 said seven millions of acres, as far west as the sovereignty of  
 2929 the United States and their right of soil extend : *Provided, how-*  
 2930 *ever,* That if the saline or salt plain on the western prairie shall  
 2931 fall within said limits prescribed for said outlet, the right is re-  
 2932 served to the United States to permit other tribes of red men to  
 2933 get salt on said plain in common with the Cherokees ; and letters-  
 2934 patent shall be issued by the United States as soon as prac-  
 2935 ticable for the land hereby guarantied ;" and whereas it is ap-  
 2936 prehended by the Cherokees that in the above cession there  
 2937 is not contained a sufficient quantity of land for the accom-  
 2938 modation of the whole nation on their removal west of the  
 2939 Mississippi, the United States, in consideration of the sum of  
 2940 five hundred thousand dollars therefore, hereby covenant and  
 2941 agree to convey to the said Indians and their descendants,  
 2942 by patent in fee simple, the following additional tract of land,  
 2943 situated between the west line of the State of Missouri and  
 2944 the Osage reservation, beginning at the southeast corner of  
 2945 the same and runs north along the east line of the Osage lands  
 2946 fifty miles to the northeast corner thereof ; and thence east to  
 2947 the west line of the State of Missouri ; thence with said line  
 2948 south fifty miles ; thence west to the place of beginning ; esti-  
 2949 mated to contain eight hundred thousand acres of land ; but it  
 2950 is expressly understood that if any of the lands assigned the  
 2951 Quapaws shall fall within the aforesaid bounds the same shall  
 2952 be reserved and excepted out of the lands above granted, and a  
 2953 pro rata reduction shall be made in the price to be allowed to  
 2954 the United States for the same by the Cherokees.

2955 ARTICLE 3. The United States also agree that the lands  
 2956 above, ceded by the treaty of Feb. 14, 1833, including the

2957 outlet, and those ceded by this treaty, shall all be included in  
 2958 one patent executed to the Cherokee Nation of Indians by the  
 2959 President of the United States according to the provisions of  
 2960 the act of May 28, 1830. It is, however, agreed that the military  
 2961 reservation at Fort Gibson shall be held by the United States.  
 2962 But should the United States abandon said post and have no  
 2963 further use for the same it shall revert to the Cherokee Nation.  
 2964 The United States shall always have the right to make and es-  
 2965 tablish such post and military forts in any part of the Cherokee  
 2966 country as they may deem proper for the interest and protec-  
 2967 tion of the same, and the free use of as much land, timber, fuel,  
 2968 and materials of all kinds for the construction and support of  
 2969 the same, as may be necessary; provided that if the private  
 2970 rights of individuals are interfered with, a just compensation  
 2971 therefor shall be made.

2972       ARTICLE 4. The United States also stipulate and agree to  
 2973 extinguish for the benefit of the Cherokees the titles to the res-  
 2974 ervations within their country made in the Osage treaty of  
 2975 1825 to certain half-breeds; and for this purpose they hereby  
 2976 agree to pay to the persons to whom the same belong or have  
 2977 been assigned, or to their agents or guardians, whenever they  
 2978 shall execute after the ratification of this treaty a satisfactory  
 2979 conveyance for the same to the United States, the sum of fif-  
 2980 teen thousand dollars, according to a schedule accompanying  
 2981 this treaty of the relative value of the several reservations;  
 2982 and whereas by the several treaties between the United States  
 2983 and the Osage Indians the Union and Harmony Missionary  
 2984 reservations which were established for their benefit are now  
 2985 situated within the country ceded by them to the United  
 2986 States, the former being situated in the Cherokee country and  
 2987 the latter in the State of Missouri, it is therefore agreed that  
 2988 the United States shall pay the American Board of Commis-  
 2989 sioners for Foreign Missions for the improvements on the same  
 2990 what they shall be appraised at by Capt. Geo. Vashon, Cherokee  
 2991 sub-agent, Abraham Redfield, and A. P. Chouteau, or such  
 2992 persons as the President of the United States shall appoint, and  
 2993 the money allowed for the same shall be expended in schools  
 2994 among the Osages and improving their condition. It is under-  
 2995 stood that the United States are to pay the amount allowed for  
 2996 the reservations in this article, and not the Cherokees.

2997       ARTICLE 5. The United States hereby covenant and agree  
 2998 that the lands ceded to the Cherokee Nation in the foregoing  
 2999 article shall in no future time, without their consent, be included  
 3000 within the territorial limits or jurisdiction of any State or Ter-  
 3001 ritory. But they shall secure to the Cherokee Nation the right  
 3002 by their national councils to make and carry into effect all such

3003 laws as they may deem necessary for the government and pro-  
 3004 tection of the persons and property within their own country  
 3005 belonging to their people or such persons as have connected  
 3006 themselves with them : *Provided always*, That they shall not be  
 3007 inconsistent with the Constitution of the United States and  
 3008 such acts of Congress as have been or may be passed regulating  
 3009 trade and intercourse with the Indians ; and also, that they shall  
 3010 not be considered as extending to such citizens and army of the  
 3011 United States as may travel or reside in the Indian country by  
 3012 permission according to the laws and regulations established by  
 3013 the Government of the same.

3014       ARTICLE 6. Perpetual peace and friendship shall exist be-  
 3015 tween the citizens of the United States and the Cherokee Indians.  
 3016 The United States agree to protect the Cherokee Nation from  
 3017 domestic strife and foreign enemies and against intestine wars  
 3018 between the several tribes. The Cherokees shall endeavor to  
 3019 preserve and maintain the peace of the country and not make  
 3020 war upon their neighbors. They shall also be protected against  
 3021 interruption and intrusion from citizens of the United States,  
 3022 who may attempt to settle in the country without their consent ;  
 3023 and all such persons shall be removed from the same by order  
 3024 of the President of the United States. But this is not intended to  
 3025 prevent the residence among them of useful farmers, mechanics,  
 3026 and teachers for the instruction of Indians according to treaty  
 3027 stipulations.

3028       ARTICLE 7. The Cherokee Nation having already made great  
 3029 progress in civilization, and deeming it important that every  
 3030 proper and laudable inducement should be offered to their people  
 3031 to improve their condition, as well as to guard and secure in the  
 3032 most effectual manner the rights guarantied to them in this  
 3033 treaty, and with a view to illustrate the liberal and enlarged policy  
 3034 of the Government of the United States towards the Indians in  
 3035 their removal beyond the territorial limits of the States, it is  
 3036 stipulated that they shall be entitled to a delegate in the House  
 3037 of Representatives of the United States whenever Congress  
 3038 shall make provision for the same.

3039       ARTICLE 8. The United States also agree and stipulate, to  
 3040 remove the Cherokees to their new homes, and to subsist them  
 3041 one year after their arrival there, and that a sufficient number  
 3042 of steamboats and baggage-wagons shall be furnished to remove  
 3043 them comfortably, and so as not to endanger their health, and  
 3044 that a physician, well supplied with medicines, shall accompany  
 3045 each detachment of emigrants removed by the Government.  
 3046 Such persons and families as in the opinion of the emigrating  
 3047 agent are capable of subsisting and removing themselves shall  
 3048 be permitted to do so ; and they shall be allowed in full of all

3049 claims for the same twenty dollars for each member of their  
 3050 family; and in lieu of their one year's rations, they shall be paid  
 3051 the sum of thirty-three dollars and thirty-three cents if they  
 3052 prefer it.

3053 Such Cherokees also as reside at present out of the nation,  
 3054 and shall remove with them in two years west of the Mississippi,  
 3055 shall be entitled to allowance for removal and subsistence as  
 3056 above provided.

3057 ARTICLE 9. The United States agree to appoint suitable  
 3058 agents who shall make a just and fair valuation of all such im-  
 3059 provements now in the possession of the Cherokees as add any  
 3060 value to the lands; and also of the ferries owned by them, ac-  
 3061 cording to their nett income; and such improvements and ferries  
 3062 from which they have been dispossessed in a lawless manner, or  
 3063 under any existing laws of the State where the same may be  
 3064 situated.

3065 The just debts of the Indians shall be paid out of any moneys  
 3066 due them for their improvements and claims; and they shall  
 3067 also be furnished, at the discretion of the President of the  
 3068 United States, with a sufficient sum to enable them to obtain  
 3069 the necessary means to remove themselves to their new homes,  
 3070 and the balance of their dues shall be paid them at the Cherokee  
 3071 agency west of the Mississippi. The missionary establishments  
 3072 shall also be valued and appraised in a like manner, and the  
 3073 amount of them paid over by the United States to the treasurers  
 3074 of the respective missionary societies by whom they have been  
 3075 established and improved, in order to enable them to erect such  
 3076 buildings and make such improvements among the Cherokees  
 3077 west of the Mississippi as they may deem necessary for their  
 3078 benefit. Such teachers at present among the Cherokees as this  
 3079 council shall select and designate, shall be removed west of the  
 3080 Mississippi with the Cherokee Nation, and on the same terms  
 3081 allowed to them.

3082 ARTICLE 10. The President of the United States shall invest  
 3083 in some safe and most productive public stocks of the country for  
 3084 the benefit of the whole Cherokee Nation who have removed or  
 3085 shall remove to the lands assigned by this treaty to the Chero-  
 3086 kee Nation west of the Mississippi the following sums as per-  
 3087 manent fund for the purposes hereinafter specified, and pay over  
 3088 the nett income of the same annually to such person or persons as  
 3089 shall be authorized or appointed by the Cherokee Nation to receive  
 3090 the same, and their receipt shall be a full discharge for the  
 3091 amount paid to them, viz, the sum of two hundred thousand  
 3092 dollars, in addition to the present annuities of the nation, to con-  
 3093 stitute a general fund, the interest of which shall be applied  
 3094 annually by the council of the nation to such purposes as they

3095 may deem best for the general interest of their people. The sum  
 3096 of fifty thousand dollars to constitute an orphans' fund, the  
 3097 annual income of which shall be expended towards the support  
 3098 and education of such orphan children as are destitute of the  
 3099 means of subsistence. The sum of one hundred and fifty thou-  
 3100 sand dollars, in addition to the present school-fund of the nation,  
 3101 shall constitute a permanent school-fund, the interest of which  
 3102 shall be applied annually by the council of the nation for the  
 3103 support of common schools and such a literary institution of a  
 3104 higher order as may be established in the Indian country. And  
 3105 in order to secure as far as possible the true and beneficial appli-  
 3106 cation of the orphans' and school fund, the council of the Chero-  
 3107 kee Nation, when required by the President of the United  
 3108 States, shall make a report of the application of those funds, and  
 3109 he shall at all times have the right, if the funds have been mis-  
 3110 applied, to correct any abuses of them, and direct the manner  
 3111 of their application for the purposes for which they were intend-  
 3112 ed. The council of the nation may, by giving two years' notice  
 3113 of their intention, withdraw their funds by and with the consent  
 3114 of the President and Senate of the United States, and invest  
 3115 them in such manner as they may deem most proper for their  
 3116 interest. The United States also agree and stipulate to pay the  
 3117 just debts and claims against the Cherokee Nation held by the  
 3118 citizens of the same, and also the just claims of citizens of the  
 3119 United States for services rendered to the nation, and the sum of  
 3120 sixty thousand dollars is appropriated for this purpose, but no  
 3121 claims against individual persons of the nation shall allow beed  
 3122 and paid by the nation. The sum of three hundred thousand  
 3123 dollars is hereby set apart to pay and liquidate the just claims  
 3124 of the Cherokees upon the United States for spoliations of every  
 3125 kind that have not been already satisfied under former treaties.

3126 ARTICLE 11. The Cherokee Nation of Indians, believing it  
 3127 will be for the interest of their people to have all their funds and  
 3128 annuities under their own direction and future disposition,  
 3129 hereby agree to commute their permanent annuity of ten thou-  
 3130 sand dollars for the sum of two hundred and fourteen thousand  
 3131 dollars, the same to be invested by the President of the United  
 3132 States as a part of the general fund of the nation ; their present  
 3133 school-fund, amounting to about fifty thousand dollars, shall con-  
 3134 stitute a part of the permanent school-fund of the nation.

3135 ARTICLE 12. Those individuals and families of the Cher-  
 3136 okee Nation that are averse to a removal to the Cherokee  
 3137 country west of the Mississippi, and are desirous to become citi-  
 3138 zens of the States where they reside, and such as are qualified  
 3139 to take care of themselves and their property, shall be entitled  
 3140 to receive their due portion of all the personal benefits accru-

3141 ing under this treaty for their claims, improvements, and *per*  
 3142 *capita*, as soon as an appropriation is made for this treaty.

3143 Such heads of Cherokee families as are desirous to reside  
 3144 within the States of No. Carolina, Tennessee, and Alabama  
 3145 subject to the laws of the same, and who are qualified or cal-  
 3146 culated to become useful citizens, shall be entitled, on the certifi-  
 3147 cate of the commissioners, to a pre-emption right to one hun-  
 3148 dred and sixty acres of land, or one-quarter section, at the mini-  
 3149 mum Congress price; so as to include the present buildings or  
 3150 improvements of those who now reside there, and such as do not  
 3151 live there at present shall be permitted to locate within two  
 3152 years any lands not already occupied by persons entitled to pre-  
 3153 emption privilege under this treaty; and if two or more families  
 3154 live on the same quarter section, and they desire to continue  
 3155 their residence in these States, and are qualified as above speci-  
 3156 fied, they shall, on receiving their pre-emption certificate, be en-  
 3157 titled to the right of pre-emption to such lands as they may  
 3158 select not already taken by any person entitled to them under  
 3159 this treaty.

3160 It is stipulated and agreed between the United States and  
 3161 the Cherokee people that John Ross, James Starr, George Hicks,  
 3162 John Gunter, George Chambers, John Ridge, Elias Boudinot,  
 3163 George Sanders, John Martin, William Rogers, Roman Nose,  
 3164 Situwake, and John Timpson shall be a committee on the part  
 3165 of the Cherokees to recommend such persons for the privilege  
 3166 of pre-emption rights as may be deemed entitled to the same  
 3167 under the above articles, and to select the missionaries who  
 3168 shall be removed with the nation; and that they be hereby fully  
 3169 empowered and authorized to transact all business on the part  
 3170 of the Indians which may arise in carrying into effect the pro-  
 3171 visions of this treaty and settling the same with the United  
 3172 States. If any of the persons above mentioned should decline  
 3173 acting, or be removed by death, the vacancies shall be filled by  
 3174 the committee themselves.

3175 It is also understood and agreed that the sum of one hun-  
 3176 dred thousand dollars shall be expended by the commissioners  
 3177 in such manner as the committee deem best, for the benefit of  
 3178 the poorer class of Cherokees as shall remove west or have re-  
 3179 moved west, and are entitled to the benefits of this treaty. The  
 3180 same to be delivered at the Cherokee agency west as soon after  
 3181 the removal of the nation as possible.

3182 ARTICLE 13. In order to make a final settlement of all the  
 3183 claims of the Cherokees for reservations granted under former  
 3184 treaties, to any individuals belonging to the nation, by the  
 3185 United States, it is therefore hereby stipulated and agreed and  
 3186 expressly understood by the parties to this treaty, that all the

3187 Cherokees and their heirs and descendants to whom any reser-  
 3188 vations have been made under any former treaties with the  
 3189 United States, and who have not sold or conveyed the same by  
 3190 deed or otherwise, and who, in the opinion of the commissioners,  
 3191 have complied with the terms on which the reservations were  
 3192 granted, as far as practicable in the several cases, and which  
 3193 reservations have since been sold by the United States, shall  
 3194 constitute a just claim against the United States, and the orig-  
 3195 inal reservees or their heirs or descendants shall be entitled to  
 3196 receive the present value thereof, from the United States, as  
 3197 unimproved lands. And all such reservations as have not been  
 3198 sold by the United States, and where the terms on which the  
 3199 reservations were made, in the opinion of the commissioners,  
 3200 have been complied with as far as practicable, they or their heirs  
 3201 or descendants shall be entitled to the same. They are hereby  
 3202 granted and confirmed to them, and also all persons who were  
 3203 entitled to reservations under the treaty of 1817, and who,  
 3204 as far as practicable, in the opinion of the commissioners, have  
 3205 complied with the stipulations of said treaty, although, by the  
 3206 treaty of 1819, such reservations were included in the unceded  
 3207 lands belonging to the Cherokee Nation, are hereby confirmed  
 3208 to them and they shall be entitled to receive a grant for the  
 3209 same. And all such reservees as were obliged by the laws of  
 3210 the States in which their reservations were situated, to abandon  
 3211 the same or purchase them from the States, shall be deemed to  
 3212 have a just claim against the United States for the amount by them  
 3213 paid to the States, with interest thereon, for such reservations, and  
 3214 if obliged to abandon the same, to the present value of such  
 3215 reservations, as unimproved lands; but in all cases where  
 3216 the reservees have sold their reservations, or any part thereof,  
 3217 and conveyed the same by deed or otherwise, and have been  
 3218 paid for the same, they, their heirs, or descendants, or their  
 3219 assigns, shall not be considered as having any claims upon the  
 3220 United States under this article of the treaty, nor be entitled  
 3221 to receive any compensation for the lands thus disposed of. It  
 3222 is expressly understood by the parties to this treaty that the  
 3223 amount to be allowed for reservations under this article shall  
 3224 not be deducted out of the consideration money allowed to the  
 3225 Cherokees for their claims for spoliation and the cession of  
 3226 their lands; but the same is to be paid for independently by the  
 3227 United States, as it is only a just fulfillment of former treaty  
 3228 stipulations.

3229 ARTICLE 14. It is also agreed on the part of the United  
 3230 States that such warriors of the Cherokee Nation as were en-  
 3231 gaged on the side of the United States in the late war with  
 3232 Great Britain and the southern tribes of Indians, and who were

3233 wounded in such service, shall be entitled to such pensions as  
 3234 shall be allowed them by the Congress of the United States, to  
 3235 commence from the period of their disability.

3236 ARTICLE 15. It is expressly understood and agreed between  
 3237 the parties to this treaty that after deducting the amount which  
 3238 shall be actually expended for the payment for improvements,  
 3239 ferries, claims for spoliations, removal, subsistence, and debts  
 3240 and claims upon the Cherokee Nation, and for the additional  
 3241 quantity of lands and goods for the poorer class of Cherokees,  
 3242 and the several sums to be invested for the general national  
 3243 funds provided for in the several articles of this treaty, the  
 3244 balance, whatever the same may be, shall be equally divided  
 3245 between all the people belonging to the Cherokee Nation east  
 3246 according to the census just completed; and such Cherokees as  
 3247 have removed west since June, 1833, who are entitled by the  
 3248 terms of their enrolment and removal to all the benefits result-  
 3249 ing from the final treaty between the United States and the  
 3250 Cherokees east, they shall also be paid for their improvements  
 3251 according to their approved value before their removal, where  
 3252 fraud has not already been shown in their valuation.

3253 ARTICLE 16. It is hereby stipulated and agreed by the  
 3254 Cherokees that they shall remove to their new homes within  
 3255 two years from the ratification of this treaty, and that during  
 3256 such time the United States shall protect and defend them in  
 3257 their possessions and property, and free use and occupation of  
 3258 the same, and such persons as have been dispossessed of their  
 3259 improvements and houses, and for which no grant has actually  
 3260 issued previously to the enactment of the law of the State of  
 3261 Georgia of December, 1835, to regulate Indian occupancy, shall  
 3262 be again put in possession and placed in the same situation and  
 3263 condition, in reference to the laws of the State of Georgia, as  
 3264 the Indians that have not been dispossessed; and if this is not  
 3265 done, and the people are left unprotected, then the United  
 3266 States shall pay the several Cherokees for their losses and dam-  
 3267 ages sustained by them in consequence thereof. And it is also  
 3268 stipulated and agreed that the public buildings and improve-  
 3269 ments on which they are situated at New Echota, for which no  
 3270 grant has been actually made previous to the passage of the  
 3271 above recited act, if not occupied by the Cherokee people, shall  
 3272 be reserved for the public and the free use of the United States  
 3273 and the Cherokee Indians, for the purpose of settling and closing  
 3274 all the Indian business arising under this treaty between the  
 3275 commissioners of claims and the Indians.

3276 The United States, and the several States interested in the  
 3277 Cherokee lands, shall immediately proceed to survey the lands  
 3278 ceded by this treaty; but it is expressly agreed and understood

3279 between the parties that the agency buildings and that tract of  
 3280 land surveyed and laid off for the use of Colonel R. J. Meigs,  
 3281 Indian agent, or heretofore enjoyed and occupied by his suc-  
 3282 cessors in office, shall continue subject to the use and occupancy  
 3283 of the United States, or such agent as may be engaged specially  
 3284 superintending the removal of the tribe.

3285       ARTICLE 17. All the claims arising under or provided for  
 3286 in the several articles of this treaty shall be examined and  
 3287 adjudicated by such commissioners as shall be appointed by the  
 3288 President of the United States, by and with the advice and  
 3289 consent of the Senate of the United States, for that purpose;  
 3290 and their decision shall be final, and on their certificate of the  
 3291 amount due the several claimants they shall be paid by the  
 3292 United States. All stipulations in former treaties which have  
 3293 not been superseded or annulled by this shall continue in full  
 3294 force and virtue.

3295       ARTICLE 18. Whereas in consequence of the unsettled  
 3296 affairs of the Cherokee people, and the early frosts, their crops  
 3297 are insufficient to support their families, and great distress is  
 3298 likely to ensue; and whereas the nation will not until after  
 3299 their removal be able advantageously to expend the income of  
 3300 the permanent funds of the nation, it is therefore agreed that  
 3301 the annuities of the nation which may accrue under this treaty  
 3302 for two years, the time fixed for their removal, shall be expended  
 3303 in provisions and clothing for the benefit of the poorer class of  
 3304 the nation; and the United States hereby agree to advance the  
 3305 same for that purpose as soon after the ratification of this treaty  
 3306 as an appropriation for the same shall be made. It is, however,  
 3307 not intended in this article to interfere with that part of the  
 3308 annuities due the Cherokees west by the treaty of 1819.

3309       ARTICLE 19. This treaty, after the same shall be ratified  
 3310 by the President and Senate of the United States, shall be  
 3311 obligatory on the contracting parties.

3312       Proclaimed May 23, 1836.

3313       Whereas the Western Cherokees have appointed a delega-  
 3314 tion to visit the Eastern Cherokees to assure them of the friendly  
 3315 disposition of their people and their desire that the nation should  
 3316 again be united as one people, and to urge upon them the expe-  
 3317 diency of accepting the overtures of the Government; and that,  
 3318 on their removal, they may be assured of a hearty welcome and  
 3319 an equal participation with them in all the benefits and privi-  
 3320 leges of the Cherokee country west; and the undersigned, two  
 3321 of said delegation, being the only delegates in the eastern nation  
 3322 from the west at the signing and sealing of the treaty lately  
 3323 concluded at New Echota between their eastern brethren and

3324 the United States, and having fully understood the provisions  
 3325 of the same, they agree to it in behalf of the Western Cherokees.  
 3326 But it is expressly understood that nothing in this treaty shall  
 3327 affect any claims of the Western Cherokees on the United States.

3328 In testimony whereof we have, this 31st day of December,  
 3329 1835, hereunto set our hands and seals.

3330 JAMES ROGERS,

3331 JOHN SMITH,

3332 *Delegates from the Western Cherokees.*

3333 *Schedule and estimated value of the Osage half-breed reservations*  
 3334 *within the territory ceded by the Cherokees west of the Missis-*  
 3335 *sippi, (referred to in article 5 on the foregoing treaty,) viz :*

3336	Augustus Clamont, one section .....	\$6,000
3337	James Clamont, one section.....	1,000
3338	Paul Clamont, one section .....	1,300
3339	Henry Clamont, one section.....	800
3340	Anthony Clamont, one section.....	1,800
3341	Rosalie Clamont, one section.....	1,800
3342	Emilia D., of Mihanga.....	1,000
3343	Emilia D., of Shemianga.....	1,300

3344

3345 \$15,000

3346 I hereby certify that the above schedule is the estimated  
 3347 value of the Osage reservations, as made out and agreed upon  
 3348 with Col. A. P. Chouteau, who represented himself as the agent  
 3349 or guardian of the above reservees.

3350 J. F. SCHERMERHORN.

3351 MARCH 14, 1835.

3352 *Supplementary articles to a treaty concluded at New Echota, Geor-*  
 3353 *gia, December 29, 1835, between the United States and Cherokee*  
 3354 *people.*

3355 Whereas the undersigned were authorized at the general  
 3356 meeting of the Cherokee people held at New Echota, as above  
 3357 stated, to make and assent to such alterations in the preceding  
 3358 treaty as might be thought necessary; and whereas the Presi-  
 3359 dent of the United States has expressed his determination not  
 3360 to allow any pre-emptions or reservations, his desire being that  
 3361 the whole Cherokee people should remove together and estab-  
 3362 lish themselves in the country provided for them west of the  
 3363 Mississippi river:

3364 ARTICLE 1. It is therefore agreed that all the pre-emption

3365 rights and reservations provided for in articles 12 and 13 shall  
3366 be and are hereby relinquished and declared void.

3367 ARTICLE 2. Whereas the Cherokee people have supposed  
3368 that the sum of five millions of dollars fixed by the Senate in  
3369 their resolution of — day of March, 1835, as the value of the  
3370 Cherokee lands and possessions east of the Mississippi River  
3371 was not intended to include the amount which may be required  
3372 to remove them, nor the value of certain claims which many of  
3373 their people had against citizens of the United States, which  
3374 suggestion has been confirmed by the opinion expressed to the  
3375 War Department by some of the Senators who voted upon the  
3376 question; and whereas the President is willing that this subject  
3377 should be referred to the Senate for their consideration, and if  
3378 it was not intended by the Senate that the above-mentioned  
3379 sum of five millions of dollars should include the objects herein  
3380 specified, that in that case such further provision should be  
3381 made therefor as might appear to the Senate to be just :

3382 ARTICLE 3. It is therefore agreed that the sum of six hun-  
3383 dred thousand dollars shall be, and the same is hereby, allowed  
3384 to the Cherokee people, to include the expense of their removal,  
3385 and all claims of every nature and description against the Gov-  
3386 ernment of the United States not herein otherwise expressly pro-  
3387 vided for, and to be in lieu of the said reservations and pre-  
3388 emptions, and of the sum of three hundred thousand dollars for  
3389 spoliations described in the 1st article of the above-mentioned  
3390 treaty. This sum of six hundred thousand dollars shall be ap-  
3391 plied and distributed agreeably to the provisions of the said  
3392 treaty, and any surplus which may remain after removal and  
3393 payment of the claims so ascertained, shall be turned over and  
3394 belong to the education fund.

3395 But it is expressly understood that the subject of this arti-  
3396 cle is merely referred hereby to the consideration of the Senate,  
3397 and if they shall approve the same, then this supplement shall  
3398 remain part of the treaty.

3399 ARTICLE 4. It is also understood that the provisions in ar-  
3400 ticle 16, for the agency reservation, is not intended to interfere  
3401 with the occupant right of any Cherokees, should their improve-  
3402 ment fall within the same.

3403 It is also understood and agreed, that the one hundred  
3404 thousand dollars appropriated in article 12 for the poorer class  
3405 of Cherokees, and intended as a set-off to the pre-emption rights,  
3406 shall now be transferred from the funds of the nation and added  
3407 to the general national fund of four hundred thousand dollars,  
3408 so as to make said fund equal to five hundred thousand dollars.

3409 ARTICLE 5. The necessary expenses attending the negotia-  
3410 tion of the aforesaid treaty and supplement, and also of such

3411 persons of the delegation as may sign the same, shall be de-  
 3412 frayed by the United States.

3413 Proclaimed May 23, 1836.

3414 *Articles of a treaty made and concluded at Washington, in the*  
 3415 *District of Columbia, between the United States of America, by*  
 3416 *three commissioners, Edmund Burke, William Armstrong, and*  
 3417 *Albion K. Parris; and John Ross, principal chief of the Cher-*  
 3418 *okee Nation; David Vann, William S. Coody, Richard Taylor,*  
 3419 *T. H. Walker, Clement V. McNair, Stephen Foreman, John*  
 3420 *Drew, and Richard Field, delegates duly appointed by the reg-*  
 3421 *ularly constituted authorities of the Cherokee Nation; George*  
 3422 *W. Adair, John A. Bell, Stand Watie, Joseph M. Lynch, John*  
 3423 *Huss, and Brice Martin, a delegation appointed by, and repre-*  
 3424 *senting that portion of the Cherokee tribe of Indians known*  
 3425 *and recognized as the "Treaty Party;" John Brown, Captain*  
 3426 *Dutch, John L. McCoy, Richard Drew, and Ellis Phillips,*  
 3427 *delegates appointed by, and representing, that portion of the*  
 3428 *Cherokee Tribe of Indians known and recognized as "Western*  
 3429 *Cherokees," or "Old Settlers."*

3430 Whereas serious difficulties have, for a considerable time  
 3431 past, existed between the different portions of the people consti-  
 3432 tuting and recognized as the Cherokee Nation of Indians, which  
 3433 it is desirable should be speedily settled, so that peace and har-  
 3434 mony may be restored among them; and whereas certain claims  
 3435 exist on the part of the Cherokee Nation, and portions of the  
 3436 Cherokee people, against the United States: Therefore, with a  
 3437 view to the final and amicable settlement of the difficulties and  
 3438 claims before mentioned, it is mutually agreed by the several  
 3439 parties to this convention as follows, viz:

3440 ARTICLE 1. That the lands now occupied by the Cherokee Na-  
 3441 tion shall be secured to the whole Cherokee people for their common  
 3442 use and benefit; and a patent shall be issued for the same, in-  
 3443 cluding the eight hundred thousand acres purchased, together  
 3444 with the outlet west, promised by the United States, in conform-  
 3445 ity with the provisions relating thereto, contained in the third  
 3446 article of the treaty of 1835, and in the third section of the act  
 3447 of Congress approved May twenty-eighth, 1830, which author-  
 3448 izes the President of the United States, in making exchanges of  
 3449 lands with the Indian tribes, "to assure the tribe or nation with  
 3450 which the exchange is made that the United States will forever  
 3451 secure and guarantee to them, and their heirs or successors, the  
 3452 country so exchanged with them; and if they prefer it that the  
 3453 United States will cause a patent or grant to be made and exe-  
 3454 cuted to them for the same: *Provided, always, That such lands*

3455 shall revert to the United States if the Indians become extinct  
3456 or abandon the same."

3457       ARTICLE 2. All difficulties and differences heretofore ex-  
3458 isting between the several parties of the Cherokee Nation are  
3459 hereby settled and adjusted, and shall, as far as possible, be for-  
3460 gotten and forever buried in oblivion. All party distinctions  
3461 shall cease, except so far as they may be necessary to carry out  
3462 this convention or treaty. A general amnesty is hereby declared.  
3463 All offences and crimes committed by a citizen or citizens of the  
3464 Cherokee Nation against the nation, or against an individual or  
3465 individuals, are hereby pardoned. All Cherokees who are now  
3466 out of the nation are invited and earnestly requested to return to  
3467 their homes, where they may live in peace, assured that they shall  
3468 not be prosecuted for any offence heretofore committed against  
3469 the Cherokee Nation, or any individual thereof. And this par-  
3470 don and amnesty shall extend to all who may now be out of the  
3471 nation, and who shall return thereto on or before 1st day of De-  
3472 cember next. The several parties agree to unite in enforcing  
3473 the laws against all future offenders. Laws shall be passed for  
3474 equal protection, and for the security of life, liberty, and pro-  
3475 perty; and full authority shall be given by law, to all or any  
3476 portion of the Cherokee people, peaceably to assemble and pe-  
3477 tition their own government, or the Government of the United  
3478 States, for the redress of grievances, and to discuss their rights.  
3479 All armed police, light horse, and other military organization,  
3480 shall be abolished, and the laws enforced by the civil authority  
3481 alone.

3482       No one shall be punished for any crime or misdemeanor ex-  
3483 cept on conviction by a jury of his country, and the sentence of  
3484 a court duly authorized by law to take cognizance of the offence.  
3485 And it is further agreed, all fugitives from justice, except those  
3486 included in the general amnesty herein stipulated, seeking ref-  
3487 uge in the territory of the United States, shall be delivered up  
3488 by the authorities of the United States to the Cherokee Nation  
3489 for trial and punishment.

3490       ARTICLE 3. Whereas certain claims have been allowed by  
3491 the several boards of commissioners heretofore appointed un-  
3492 der the treaty of 1835, for rents, under the name of improve-  
3493 ments and spoliations, and for property of which the Indians  
3494 were dispossessed, provided for under the 16th article of the  
3495 treaty of 1835; and whereas the said claims have been paid out  
3496 of the \$5,000,000 fund; and whereas said claims were not justly  
3497 chargeable to that fund, but were to be paid by the United  
3498 States, the said United States agree to re-imburse the said fund  
3499 the amount thus charged to said fund, and the same shall form  
3500 a part of the aggregate amount to be distributed to the Chero-

3501 kee people, as provided in the 9th article of this treaty; and  
 3502 whereas a further amount has been allowed for reservations un-  
 3503 der the provisions of the 13th article of the treaty of 1835, by  
 3504 said commissioners, and has been paid out of the said fund, and  
 3505 which said sums were properly chargeable to, and should have  
 3506 been paid by, the United States, the said United States further  
 3507 agree to re-imburse the amounts thus paid for reservations to  
 3508 said fund; and whereas the expenses of making the treaty of  
 3509 New Echoto were also paid out of said fund, when they should  
 3510 have been borne by the United States, the United States agree  
 3511 to re-imburse the same, and also to re-imburse all other sums  
 3512 paid to any agent of the government, and improperly charged  
 3513 to said fund; and the same also shall form a part of the aggre-  
 3514 gate amount to be distributed to the Cherokee people, as pro-  
 3515 vided in the 9th article of this treaty.

3516 ARTICLE 4. And whereas it has been decided by the board  
 3517 of commissioners recently appointed by the President of the  
 3518 United States to examine and adjust the claims and difficulties  
 3519 existing against and between the Cherokee people and the  
 3520 United States, as well as between the Cherokees themselves,  
 3521 that under the provisions of the treaty of 1828, as well as in  
 3522 conformity with the general policy of the United States in rela-  
 3523 tion to the Indian tribes, and the Cherokee Nation in particular,  
 3524 that that portion of the Cherokee people known as the "Old  
 3525 Settlers," or "Western Cherokees," had no exclusive title to the  
 3526 territory ceded in that treaty, but that the same was intended for  
 3527 the use of, and to be the home for, the whole nation, including  
 3528 as well that portion then east as that portion then west of the  
 3529 Mississippi; and whereas the said board of commissioners fur-  
 3530 ther decided that, inasmuch as the territory before mentioned  
 3531 became the common property of the whole Cherokee Nation by  
 3532 the operation of the treaty of 1828, the Cherokees then west of  
 3533 the Mississippi, by the equitable operation of the same treaty,  
 3534 acquired a common interest in the lands occupied by the Cher-  
 3535 okees east of the Mississippi river, as well as in those occupied  
 3536 by themselves west of that river, which interest should have  
 3537 been provided for in the treaty of 1835, but which was not,  
 3538 except in so far as they, as a constituent portion of the nation,  
 3539 retained, in proportion to their numbers, a common interest in  
 3540 the country west of the Mississippi, and in the general funds of  
 3541 the nation; and therefore they have an equitable claim upon  
 3542 the United States for the value of that interest, whatever it  
 3543 may be. Now, in order to ascertain the value of that interest,  
 3544 it is agreed that the following principle shall be adopted, viz:  
 3545 All the investments and expenditures which are properly  
 3546 chargeable upon the sums granted in the treaty of 1835, amount-

3547 ing in the whole to five millions six hundred thousand dollars,  
 3548 (which investments and expenditures are particularly enumer-  
 3549 ated in the 15th article of the treaty of 1835,) to be first de-  
 3550 ducted from said aggregate sum, thus ascertaining the residuum  
 3551 or amount which would, under such marshalling of accounts,  
 3552 be left for *per capita* distribution among the Cherokees, emigrat-  
 3553 ing under the treaty of 1835, excluding all extravagant and  
 3554 improper expenditures, and then allow to the Old Settlers (or  
 3555 Western Cherokees) a sum equal to one third part of said re-  
 3556 siduum, to be distributed *per capita* to each individual of said  
 3557 party of "Old Settlers," or "Western Cherokees." It is further  
 3558 agreed that, so far as the Western Cherokees are concerned, in  
 3559 estimating the expense of removal and subsistence of an East-  
 3560 ern Cherokee, to be charged to the aggregate fund of five mil-  
 3561 lion, six hundred thousand dollars above mentioned, the sums  
 3562 for removal and subsistence stipulated in the 8th article of the  
 3563 treaty of 1835, as commutation money in those cases in which  
 3564 the parties entitled to it removed themselves shall be adopted.  
 3565 And as it affects the settlement with the Western Cherokees,  
 3566 there shall be no deduction from the fund before mentioned in  
 3567 consideration of any payments which may hereafter be made out  
 3568 of said fund; and it is hereby further understood and agreed,  
 3569 that the principle above defined shall embrace all those Chero-  
 3570 kees west of the Mississippi who emigrated prior to the treaty  
 3571 of 1835.

3572 In the consideration of the foregoing stipulation on the part  
 3573 of the United States, the "Western Cherokees," or "Old Set-  
 3574 tlers," hereby release and quit-claim to the United States all  
 3575 right, title, interest, or claim they may have to a common prop-  
 3576 erty in the Cherokee lands east of the Mississippi River, and to  
 3577 exclusive ownership to the lands ceded to them by the treaty of  
 3578 1833 west of the Mississippi, including the outlet west, consent-  
 3579 ing and agreeing that the said lands, together with the eight  
 3580 hundred thousand acres ceded to the Cherokees by the treaty of  
 3581 1835, shall be and remain the common property of the whole  
 3582 Cherokee people, themselves included.

3583 ARTICLE 5. It is mutually agreed that the *per capita* allow-  
 3584 ance to be given to the "Western Cherokees," or "Old Settlers,"  
 3585 upon the principle above stated, shall be held in trust by the  
 3586 Government of the United States, and paid out to each individ-  
 3587 ual belonging to that party or head of family, or his legal rep-  
 3588 resentatives. And it is further agreed that the *per capita* al-  
 3589 lowance to be paid as aforesaid shall not be assignable, but shall  
 3590 be paid directly to the persons entitled to it, or to his heirs or  
 3591 legal representatives, by the agent of the United States, au-  
 3592 thorized to make such payments.

3593 And it is further agreed that a committee of five persons shall  
 3594 be appointed by the President of the United States, from the  
 3595 party of "Old Settlers," whose duty it shall be, in conjunction  
 3596 with an agent of the United States, to ascertain what persons  
 3597 are entitled to the *per capita* allowance provided for in this and  
 3598 the preceding article.

3599 ARTICLE 6. And whereas many of that portion of the Chero-  
 3600 kee people known and designated as the "Treaty Party" have  
 3601 suffered losses and incurred expenses in consequence of the treaty  
 3602 of 1835; therefore, to indemnify the treaty party, the United  
 3603 States agree to pay to the said treaty party the sum of one  
 3604 hundred and fifteen thousand dollars, of which the sum of five  
 3605 thousand dollars shall be paid by the United States to the heirs  
 3606 or legal representatives of Major Ridge, the sum of five thou-  
 3607 sand dollars to the heirs or legal representatives of John Ridge,  
 3608 and the sum of five thousand dollars to the heirs or legal repre-  
 3609 sentatives of Elias Boudinot, and the balance, being the sum of  
 3610 one hundred thousand dollars, which shall be paid by the United  
 3611 States, in such amounts and to such persons as may be certified  
 3612 by a committee to be appointed by the treaty party, and which  
 3613 committee shall consist of not exceeding five persons, and ap-  
 3614 proved by an agent of the United States, to be entitled to re-  
 3615 ceive the same for losses and damages sustained by them, or by  
 3616 those of whom they are the heirs or legal representatives: *Pro-*  
 3617 *vided*, That out of the said balance of one hundred thousand  
 3618 dollars, the present delegation of the treaty party may receive  
 3619 the sum of twenty-five thousand dollars, to be by them applied  
 3620 to the payment of claims and other expenses. And it is further  
 3621 provided that, if the said sum of one hundred thousand dollars  
 3622 should not be sufficient to pay all the claims allowed for losses  
 3623 and damages, that then the same shall be paid to the said claim  
 3624 ants *pro rata*, and which payments shall be in full of all claims  
 3625 and losses of the said treaty party.

3626 ARTICLE 7. The value of all salines which were the private  
 3627 property of individuals of the Western Cherokees, and of which  
 3628 they were dispossessed, provided there be any such, shall be as-  
 3629 certained by the United States agent, and a commissioner to be  
 3630 appointed by the Cherokee authorities; and, should they be un-  
 3631 able to agree, they shall select an umpire, whose decision shall  
 3632 be final, and the several amounts found due shall be paid by the  
 3633 Cherokee Nation, or the salines returned to their respective  
 3634 owners.

3635 ARTICLE 8. The United States agree to pay to the Chero-  
 3636 kee Nation the sum of two thousand dollars for a printing-press,  
 3637 materials, and other property destroyed at that time; the sum  
 3638 of five thousand dollars to be equally divided among all those

3639 whose arms were taken from them previous to their removal  
 3640 West by order of an officer of the United States; and the further  
 3641 sum of twenty thousand dollars, in lieu of all claims of the  
 3642 Cherokee Nation, as a nation, prior to the treaty of 1835, except  
 3643 all lands reserved, by treaties heretofore made, for school funds.

3644 ARTICLE 9. The United States agree to make a fair and  
 3645 just settlement of all moneys due to the Cherokees, and subject  
 3646 to the *per capita* division under the treaty of 29th December,  
 3647 1835, which said settlement shall exhibit all money properly ex-  
 3648 pended under said treaty, and shall embrace all sums paid for  
 3649 improvements, ferries, spoliations, removal, and subsistence,  
 3650 and commutation therefor, debts and claims upon the Cherokee  
 3651 Nation of Indians, for the additional quantity of land ceded to  
 3652 said nation; and the several sums provided in the several ar-  
 3653 ticles of the treaty, to be invested as the general funds of the  
 3654 nation; and also all sums which may be hereafter properly al-  
 3655 lowed and paid under the provisions of the treaty of 1835. The  
 3656 aggregate of which said several sums shall be deducted from  
 3657 the sum of six millions six hundred and forty-seven thousand  
 3658 and sixty-seven dollars, and the balance thus found to be due  
 3659 shall be paid over, *per capita*, in equal amounts, to all those in-  
 3660 dividuals, heads of families, or their legal representatives, en-  
 3661 titled to receive the same under the treaty of 1835, and the sup-  
 3662 plement of 1836, being all those Cherokees residing east at the  
 3663 date of said treaty and the supplement thereto.

3664 ARTICLE 10. It is expressly agreed that nothing in the fore-  
 3665 going treaty contained shall be so construed as in any manner  
 3666 to take away or abridge any rights or claims which the Chero-  
 3667 kees now residing in States east of the Mississippi River had,  
 3668 or may have, under the treaty of 1835 and the supplement  
 3669 thereto.

3670 ARTICLE 11. Whereas the Cherokee delegations contend  
 3671 that the amount expended for the one year's subsistence, after  
 3672 their arrival in the west, of the Eastern Cherokees, is not prop-  
 3673 erly chargeable to the treaty fund; it is hereby agreed that that  
 3674 question shall be submitted to the Senate of the United States  
 3675 for its decision, which shall decide whether the subsistence shall  
 3676 be borne by the United States or the Cherokee funds, and if by  
 3677 the Cherokees, then to say whether the subsistence shall be  
 3678 charged at a greater rate than thirty-three  $\frac{33}{100}$  dollars per head;  
 3679 and also the question, whether the Cherokee Nation shall be  
 3680 allowed interest on whatever sum may be found to be due the  
 3681 nation, and from what date and at what rate per annum.

3682 ARTICLE 12. (a.) The Western Cherokees, called "Old Set-  
 3683 tlers," in assenting to the general provisions of this treaty in  
 3684 behalf of their people, have expressed their fixed opinion that,

3685 in making a settlement with them upon the basis herein estab-  
 3686 lished, the expenses incurred for the removal and subsistence of  
 3687 Cherokees, after the twenty-third day of May, 1838, should not  
 3688 be charged upon the five millions of dollars allowed to the Cher-  
 3689 okees for their lands under the treaty of 1835, or on the fund  
 3690 provided by the third article of the supplement thereto; and  
 3691 that no part of the spoliations, subsistence, or removal, pro-  
 3692 vided for by the several articles of said treaty and the supple-  
 3693 ment thereto, should be charged against them in their settlement  
 3694 for their interest in the Cherokee country east and west of the  
 3695 Mississippi River. And the delegation of "Old Settlers," or  
 3696 "Western Cherokees," propose that the question shall be sub-  
 3697 mitted with this treaty to the decision of the Senate of the  
 3698 United States, of what portion, if any, of the expenditures made  
 3699 for removal, subsistence, and spoliations under the treaty of  
 3700 1835, is properly and legally chargeable to the five-million fund.  
 3701 And they will abide by the decision of the Senate.

3702 ARTICLE 13. This treaty, after the same shall be ratified by  
 3703 the President and Senate of the United States, shall be obliga-  
 3704 tory on the contracting parties.

3705 Proclaimed August 17, 1846.

3706 *Treaty between the United States of America and the Cherokee*  
 3707 *Nation of Indians, concluded July 19, 1866; ratification advised,*  
 3708 *with amendments, July 27, 1866; amendments accepted July 31,*  
 3709 *1866.*

3710 ANDREW JOHNSON, President of the United States of America,  
 3711 to all and singular to whom these presents shall come greet-  
 3712 ing:

3713 Whereas a treaty was made and concluded at the city of  
 3714 Washington, in the District of Columbia, on the nineteenth day  
 3715 of July, in the year of Lord one thousand eight hundred and  
 3716 sixty-six, by and between Dennis N. Cooley and Elijah Sells,  
 3717 commissioners on the part of the United States, and Smith  
 3718 Christie, White Catcher, James McDaniel, S. H. Bengé, Daniel  
 3719 H. Ross, and J. B. Jones, delegates of the Cherokee Nation,  
 3720 appointed by resolution of the national council, on the part of  
 3721 said Cherokee Nation, which treaty is in the words and figures  
 3722 following, to wit:

3723 Articles of agreement and convention at the city of Washington,  
 3724 on the nineteenth day of July, in the year of our Lord one  
 3725 thousand eight hundred and sixty-six, between the United  
 3726 States, represented by Dennis N. Cooley, Commissioner of  
 3727 Indian Affairs, [and] Elijah Sells, superintendent of Indian

3728       affairs for the southern superintendency, and the Cherokee  
 3729       Nation of Indians, represented by its delegates, James Mc-  
 3730       Daniel, Smith Christie, White Catcher, S. H. Bengé, J. B.  
 3731       Jones, and Daniel H. Ross, John Ross, principal chief of  
 3732       the Cherokees, being too unwell to join in these negotia-  
 3733       tions.

3734

## PREAMBLE.

3735       Whereas existing treaties between the United States and  
 3736       the Cherokee Nation are deemed to be insufficient, the said con-  
 3737       tracting parties agree as follows, viz :

3738       ARTICLE 1. The pretended treaty made with the so-called  
 3739       Confederate States of the Cherokee Nation, on the seventh day  
 3740       of October, eighteen hundred and sixty-one, and repudiated by  
 3741       the national council of the Cherokee Nation on the eighteenth  
 3742       day of February, eighteen hundred and sixty-three, is hereby  
 3743       declared to be void.

3744       ARTICLE 2. Amnesty is hereby declared by the United States  
 3745       and the Cherokee Nation for all crimes and misdemeanors com-  
 3746       mitted by one Cherokee on the person or property of another  
 3747       Cherokee, or of a citizen of the United States, prior to the fourth  
 3748       day of July, eighteen hundred and sixty-six; and no right of  
 3749       action arising out of wrongs committed in aid or in the suppres-  
 3750       sion of the rebellion shall be prosecuted or maintained in the  
 3751       courts of the United States or in the courts of the Cherokee  
 3752       Nation.

3753       But the Cherokee Nation stipulate and agree to deliver up  
 3754       to the United States, or their duly authorized agent, any or all  
 3755       public property, particularly ordnance, ordnance stores, arms of  
 3756       all kinds, and quartermaster's stores, in their possession or con-  
 3757       trol, which belonged to the United States or the so-called Con-  
 3758       federate States, without any reservation.

3759       ARTICLE 3. The confiscation laws of the Cherokee Nation  
 3760       shall be repealed, and the same, and all sales of farms and im-  
 3761       provements on real estate, made or pretended to be made in  
 3762       pursuance thereof, are hereby agreed and declared to be null  
 3763       and void, and the former owners of such property so sold, their  
 3764       heirs or assigns, shall have the right peaceably to re-occupy  
 3765       their homes, and the purchaser under the confiscation laws, or  
 3766       his heirs or assigns, shall be repaid by the treasurer of the  
 3767       Cherokee Nation from the national funds the money paid for  
 3768       said property and the cost of permanent improvements on such  
 3769       real estate made thereon since the confiscation sale; the cost of  
 3770       such improvements to be fixed by a commission, to be composed  
 3771       of one person designated by the Secretary of the Interior and  
 3772       one by the principal chief of the nation, which two may ap-

3773 point a third in cases of disagreement, which cost so fixed shall  
 3774 be refunded to the national treasurer by the returning Chero-  
 3775 kees within three years from the ratification hereof.

3776 ARTICLE 4. All the Cherokees and freed persons who were  
 3777 formerly slaves to any Cherokee, and all free negroes not hav-  
 3778 ing been such slaves, who resided in the Cherokee Nation prior  
 3779 to June first, eighteen hundred and sixty-one, who may within  
 3780 two years elect not to reside northeast of the Arkansas River  
 3781 and southeast of Grand River, shall have the right to settle in  
 3782 and occupy the Canadian district southwest of the Arkansas  
 3783 River, and also all that tract of country lying northwest of  
 3784 Grand River, and bounded on the southeast by Grand River  
 3785 and west by the Creek reservation to the northeast corner  
 3786 thereof; from thence west on the north line of the Creek reser-  
 3787 vation to the ninety-sixth degree of west longitude; and thence  
 3788 north on said line of longitude so far that a line due east to  
 3789 Grand River will include a quantity of land equal to one hun-  
 3790 dred and sixty acres for each person who may so elect to reside  
 3791 in the territory above-described in this article: *Provided*, That  
 3792 that part of said district north of the Arkansas River shall not  
 3793 be set apart until it shall be found that the Canadian district is  
 3794 not sufficiently large to allow one hundred and sixty acres to  
 3795 each person desiring to obtain settlement under the provisions  
 3796 of this article.

3797 ARTICLE 5. The inhabitants electing to reside in the dis-  
 3798 trict described in the preceding article shall have the right to  
 3799 elect all their local officers and judges, and the number of dele-  
 3800 gates to which by their numbers they may be entitled in any  
 3801 general council to be established in the Indian Territory under  
 3802 the provisions of this treaty, as stated in Article XII, and to  
 3803 control all their local affairs, and to establish all necessary  
 3804 police regulations and rules for the administration of justice in  
 3805 said district, not inconsistent with the constitution of the Cher-  
 3806 okee Nation or the laws of the United States: *Provided*, The  
 3807 Cherokees residing in said district shall enjoy all the rights and  
 3808 privileges of other Cherokees who may elect to settle in said  
 3809 district as hereinbefore provided, and shall hold the same rights  
 3810 and privileges and be subject to the same liabilities as those who  
 3811 elect to settle in said district under the provisions of this  
 3812 treaty: *Provided also*, That if any such police regulations or  
 3813 rules be adopted which, in the opinion of the President, bear  
 3814 oppressively on any citizen of the nation, he may suspend the  
 3815 same. And all rules or regulations in said district, or in any  
 3816 other district of the nation, discriminating against the citizens  
 3817 of other districts, are prohibited, and shall be void.

3818 ARTICLE 6. The inhabitants of the said district hereinbe-

fore described shall be entitled to representation according to numbers in the national council, and all laws of the Cherokee Nation shall be uniform throughout said nation. And should any such law, either in its provisions or in the manner of its enforcement, in the opinion of the President of the United States, operate unjustly or injuriously in said district, he is hereby authorized and empowered to correct such evil, and to adopt the means necessary to secure the impartial administration of justice, as well as a fair and equitable application and expenditure of the national funds as between the people of this and of every other district in said nation.

ARTICLE 7. The United States court to be created in the Indian Territory; and until such court is created therein, the United States district court, the nearest to the Cherokee Nation, shall have exclusive original jurisdiction of all causes, civil and criminal, wherein an inhabitant of the district hereinbefore described shall be a party, and where an inhabitant outside of said district, in the Cherokee Nation, shall be the other party, as plaintiff or defendant in a civil cause, or shall be defendant or prosecutor in a criminal case, and all process issued in said district by any officer of the Cherokee Nation, to be executed on an inhabitant residing outside of said district, and all process issued by any officer of the Cherokee Nation outside of said district, to be executed on an inhabitant residing in said district, shall be to all intents and purposes null and void, unless indorsed by the district judge for the district where such process is to be served, and said person, so arrested, shall be held in custody by the officer so arresting him, until he shall be delivered over to the United States marshal, or consent to be tried by the Cherokee court: *Provided*, That any or all the provisions of this treaty, which make any distinction in rights and remedies between the citizens of any district and the citizens of the rest of the nation, shall be abrogated whenever the President shall have ascertained, by an election duly ordered by him, that a majority of the voters of such district desire them to be abrogated, and he shall have declared such abrogation: *And provided further*, That no law or regulation to be hereafter enacted within said Cherokee Nation or any district thereof, prescribing a penalty for its violation, shall take effect or be enforced until after ninety days from the date of its promulgation, either by publication in one or more newspapers of general circulation in said Cherokee Nation, or by posting up copies thereof in the Cherokee and English languages in each district where the same is to take effect, at the usual place of holding district courts.

ARTICLE 8. No license to trade in goods, wares, or mer-

3865 chandise *merchandise* shall be granted by the United States to  
 3866 trade in the Cherokee Nation, unless approved by the Cherokee  
 3867 national council, except in the Canadian district, and such other  
 3868 district north of Arkansas River and west of Grand River oc-  
 3869 cupied by the so-called southern Cherokees, as provided in Ar-  
 3870 ticle 4 of this treaty.

3871 ARTICLE 9. The Cherokee Nation having, voluntarily, in  
 3872 February, eighteen hundred and sixty-three, by an act of their  
 3873 national council, forever abolished slavery, hereby covenant and  
 3874 agree that never hereafter shall either slavery or involuntary  
 3875 servitude exist in their nation otherwise than in the punishment  
 3876 of crime, whereof the party shall have been duly convicted, in  
 3877 accordance with laws applicable to all the members of said tribe  
 3878 alike. They further agree that all freedmen who have been  
 3879 liberated by voluntary act of their former owners or by law,  
 3880 as well as all free colored persons who were in the country at the  
 3881 commencement of the rebellion, and are now residents therein,  
 3882 or who may return within six months, and their descendants,  
 3883 shall have all the rights of native Cherokees: *Provided*, That  
 3884 owners of slaves so emancipated in the Cherokee Nation shall  
 3885 never receive any compensation or pay for the slaves so emanci-  
 3886 pated.

3887 ARTICLE 10. Every Cherokee and freed person resident in  
 3888 the Cherokee Nation shall have the right to sell any products of  
 3889 his farm, including his or her live stock, or any merchandise or  
 3890 manufactured products, and to ship and drive the same to market  
 3891 without restraint, paying any tax thereon which is now or may  
 3892 be levied by the United States on the quantity sold outside of  
 3893 the Indian Territory.

3894 ARTICLE 11. The Cherokee Nation hereby grant a right of  
 3895 way not exceeding two hundred feet wide, except at stations,  
 3896 switches, water-stations, or crossing of rivers, where more may  
 3897 be indispensable to the full enjoyment of the franchise herein  
 3898 granted, and then only two hundred additional feet shall be  
 3899 taken, and only for such length as may be absolutely necessary,  
 3900 through all their lands, to any company or corporation which  
 3901 shall be duly authorized by Congress to construct a railroad  
 3902 from any point north to any part south, and from any point east  
 3903 to any point west of, and which may pass through, the Cherokee  
 3904 Nation. Said company or corporation, and their employes and  
 3905 laborers, while constructing and repairing the same, and in  
 3906 operating said road or roads, including all necessary agents on  
 3907 the line, at stations, switches, water-tanks, and all others neces-  
 3908 sary to the successful operation of a railroad, shall be protected  
 3909 in the discharge of their duties, and at all times subject to the

3910 Indian intercourse laws, now or which may hereafter be enacted  
3911 and be in force in the Cherokee Nation.

3912 ARTICLE 12. The Cherokees agree that a general council,  
3913 consisting of delegates elected by each nation or tribe lawfully  
3914 residing within the Indian Territory, may be annually convened  
3915 in said Territory, which council shall be organized in such man-  
3916 ner and possess such powers as hereinafter prescribed.

3917 First. After the ratification of this treaty, and as soon as  
3918 may be deemed practicable by the Secretary of the Interior, and  
3919 prior to the first session of said council, a census or enumeration  
3920 of each tribe lawfully resident in said Territory shall be taken  
3921 under the direction of the Commissioner of Indian Affairs, who  
3922 for that purpose is hereby authorized to designate and appoint  
3923 competent persons, whose compensation shall be fixed by the  
3924 Secretary of the Interior, and paid by the United States.

3925 Second. The first general council shall consist of one mem-  
3926 ber from each tribe, and an additional member for each one  
3927 thousand Indians, or each fraction of a thousand greater than  
3928 five hundred, being members of any tribe lawfully resident in  
3929 said Territory, and shall be selected by said tribes respectively,  
3930 who may assent to the establishment of said general council;  
3931 and if none should be thus formally selected by any nation or  
3932 tribe so assenting, the said nation or tribe shall be represented  
3933 in said general council by the chief or chiefs and headmen of  
3934 said tribes, to be taken in the order of their rank as recognized  
3935 in tribal usage, in the same number and proportion as above  
3936 indicated. After the said census shall have been taken and  
3937 completed, the superintendent of Indian affairs shall publish and  
3938 declare to each tribe assenting to the establishment of such  
3939 council the number of members of such council to which they  
3940 shall be entitled under the provisions of this article, and the  
3941 persons entitled to represent said tribes shall meet at such time  
3942 and place as he shall approve; but thereafter the time and place  
3943 of the sessions of said council shall be determined by its action:  
3944 *Provided*, That no session in any one year shall exceed the term  
3945 of thirty days: *And provided*, That special sessions of said  
3946 council may be called by the Secretary of the Interior whenever  
3947 in his judgment the interest of said tribes shall require such  
3948 special session.

3949 Third. Said general council shall have power to legislate  
3950 upon matters pertaining to the intercourse and relations of the  
3951 Indian tribes and nations and colonies of freedmen resident in  
3952 said Territory; the arrest and extradition of criminals and offend-  
3953 ers escaping from one tribe to another, or into any community  
3954 of freedmen; the administration of justice between members of  
3955 different tribes of said Territory and persons other than Indians

3956 and members of said tribes or nations ; and the common defence  
 3957 and safety of the nations of said Territory.

3958 All laws enacted by such council shall take effect at such  
 3959 time as may therein be provided, unless suspended by direction  
 3960 of the President of the United States. No law shall be enacted  
 3961 inconsistent with the Constitution of the United States, or laws  
 3962 of Congress, or existing treaty stipulations with the United  
 3963 States. Nor shall said council legislate upon matters other than  
 3964 those above indicated: *Provided, however,* That the legislative  
 3965 power of such general council may be enlarged by the consent  
 3966 of the national council of each nation or tribe assenting to its  
 3967 establishment, with the approval of the President of the United  
 3968 States.

3969 Fourth. Said council shall be presided over by such person  
 3970 as may be designated by the Secretary of the Interior.

3971 Fifth. The council shall elect a secretary, whose duty it  
 3972 shall be to keep an accurate record of all the proceedings of said  
 3973 council, and who shall transmit a true copy of all such proceed-  
 3974 ings, duly certified by the presiding officer of such council, to  
 3975 the Secretary of the Interior, and to each tribe or nation repre-  
 3976 sented in said council, immediately after the sessions of said  
 3977 council shall terminate. He shall be paid out of the Treasury of  
 3978 the United States an annual salary of five hundred dollars.

3979 Sixth. The members of said council shall be paid by the  
 3980 United States the sum of four dollars per diem during the term  
 3981 actually in attendance on the sessions of said council, and at the  
 3982 rate of four dollars for every twenty miles necessarily travelled  
 3983 by them in going from and returning to their homes, respectively,  
 3984 from said council, to be certified by the secretary and president  
 3985 of the said council.

3986 ARTICLE 13. The Cherokees also agree that a court or courts  
 3987 may be established by the United States in said Territory, with  
 3988 such jurisdiction and organized in such manner as may be pre-  
 3989 scribed by law: *Provided,* That the judicial tribunals of the  
 3990 nation shall be allowed to retain exclusive jurisdiction in all  
 3991 civil and criminal cases arising within their country in which  
 3992 members of the nation, by nativity or adoption, shall be the  
 3993 only parties, or where the cause of action shall arise in the  
 3994 Cherokee Nation, except as otherwise provided in this treaty.

3995 ARTICLE 14. The right to the use and occupancy of a quan-  
 3996 tity of land not exceeding one hundred and sixty acres, to be se-  
 3997 lected according to legal subdivisions in one body, and to include  
 3998 their improvements, and not including the improvements of any  
 3999 member of the Cherokee Nation, is hereby granted to every so-  
 4000 ciety or denomination which has erected, or which with the con-  
 4001 sent of the national council may hereafter erect, buildings within

4002 the Cherokee country for missionary or educational purposes.  
 4003 But no land thus granted, nor buildings which have been or may  
 4004 be erected thereon, shall ever be sold or [o]therwise disposed of  
 4005 except with the consent and approval of the Cherokee national  
 4006 council and the Secretary of the Interior. And whenever  
 4007 any such lands or buildings shall be sold or disposed of, the pro-  
 4008 ceeds thereof shall be applied by said society or societies for  
 4009 like purposes within said nation, subject to the approval of the  
 4010 Secretary of the Interior.

4011 ARTICLE 15. The United States may settle any civilized  
 4012 Indians, friendly with the Cherokees and adjacent tribes, within  
 4013 the Cherokee country, on unoccupied lands east of 96°, on such  
 4014 terms as may be agreed upon by any such tribe and the Chero-  
 4015 kees, subject to the approval of the President of the United  
 4016 States, which shall be consistent with the following provisions.  
 4017 viz: Should any such tribe or band of Indians settling in said  
 4018 country abandon their tribal organization, there being first paid  
 4019 into the Cherokee national fund a sum of money which shall  
 4020 sustain the same proportion to the then existing national fund  
 4021 that the number of Indians sustain to the whole number of  
 4022 Cherokees then residing in the Cherokee country, they shall be  
 4023 incorporated into and ever after remain a part of the Cherokee  
 4024 Nation, on equal terms in every respect with native citizens.  
 4025 And should any such tribe, thus settling in said country, decide  
 4026 to preserve their tribal organizations, and to maintain their  
 4027 tribal laws, customs, and usages, not inconsistent with the con-  
 4028 stitution and laws of the Cherokee Nation, they shall have a dis-  
 4029 trict of country set off for their use by metes and bounds equal  
 4030 to one hundred and sixty acres, if they should so decide, for  
 4031 each man, woman and child of said tribe, and shall pay for the  
 4032 same into the national fund such price as may be agreed on by  
 4033 them and the Cherokee Nation, subject to the approval of the  
 4034 President of the United States, and in cases of disagreement  
 4035 the price to be fixed by the President.

4036 And the said tribe thus settled shall also pay into the  
 4037 national fund a sum of money, to be agreed on by the respective  
 4038 parties, not greater in proportion to the whole existing national  
 4039 fund and the probable proceeds of the lands herein ceded or au-  
 4040 thorized to be ceded or sold than their numbers bear to the  
 4041 whole number of Cherokees then residing in said country, and  
 4042 thence afterwards they shall enjoy all the rights of native Cher-  
 4043 okees. But no Indians who have no tribal organizations, or  
 4044 who shall determine to abandon their tribal organizations, shall  
 4045 be permitted to settle east of the 96° of longitude without the  
 4046 consent of the Cherokee national council, or of a delegation  
 4047 duly appointed by it, being first obtained. And no Indians

who have and determine to preserve their tribal organizations shall be permitted to settle, as herein provided, east of the 96° of longitude without such consent being first obtained, unless the President of the United States, after a full hearing of the objections offered by said council or delegation to such settlement, shall determine that the objections are insufficient; in which case he may authorize the settlement of such tribe east of the 96° of longitude.

ARTICLE 16. The United States may settle friendly Indians in any part of the Cherokee country west of 96°, to be taken in a compact form in quantity not exceeding one hundred and sixty acres for each member of each of said tribes thus to be settled; the boundaries of each of said districts to be distinctly marked, and the land conveyed in fee-simple to each of said tribes to be held in common or by their members in severalty as the United States may decide.

Said lands thus disposed of to be paid for to the Cherokee Nation at such price as may be agreed on between the said parties in interest, subject to the approval of the President; and if they should not agree, then the price to be fixed by the President.

The Cherokee Nation to retain the right of possession of and jurisdiction over all of said country west of 96° of longitude until thus sold and occupied, after which their jurisdiction and right of possession to terminate forever as to each of said districts thus sold and occupied.

ARTICLE 17. The Cherokee Nation hereby cedes, in trust to the United States, the tract of land in the State of Kansas which was sold to the Cherokees by the United States, under the provisions of the second article of the treaty of 1835; and also that strip of the land ceded to the nation by the fourth article of said treaty which is included in the State of Kansas, and the Cherokees consent that said lands may be included in the limits and jurisdiction of the said State.

The lands herein ceded shall be surveyed as the public lands of the United States are surveyed, under the direction of the Commissioner of the General Land-Office, and shall be appraised by two disinterested persons, one to be designated by the Cherokee national council and one by the Secretary of the Interior, and, in case of disagreement, by a third person, to be mutually selected by the aforesaid appraisers. The appraisement to be not less than an average of one dollar and a quarter per acre, exclusive of improvements.

And the Secretary of the Interior shall, from time to time, as such surveys and appraisements are approved by him, after due advertisements for sealed bids, sell such lands to the high-

4094 est bidders for cash, in parcels not exceeding one hundred and  
 4095 sixty acres, and at not less than the appraised value: *Provided*,  
 4096 That whenever there are improvements of the value of fifty dollars  
 4097 made on the lands not being mineral, and owned and personally  
 4098 occupied by any person for agricultural purposes at the date of  
 4099 the signing hereof, such person so owning, and in person resid-  
 4100 ing on such improvements, shall, after due proof, made under  
 4101 such regulations as the Secretary of the Interior may prescribe,  
 4102 be entitled to buy, at the appraised value, the smallest quantity of  
 4103 land in legal subdivisions, which will include his improvements,  
 4104 not exceeding in the aggregate one hundred and sixty acres; the  
 4105 expenses of survey and appraisement to be paid by the Secre-  
 4106 tary out of the proceeds of sale of said land: *Provided*, That  
 4107 nothing in this article shall prevent the Secretary of the Interior  
 4108 from selling the whole of said lands not occupied by actual set-  
 4109 tlers at the date of the ratification of this treaty, not exceeding  
 4110 one hundred and sixty acres to each person entitled to pre-emp-  
 4111 tion under the pre-emption laws of the United States, in a body,  
 4112 to any responsible party, for cash, for a sum not less than one  
 4113 dollar per acre.

4114 ARTICLE 18. That any lands owned by the Cherokees in the  
 4115 State of Arkansas, and in States east of the Mississippi, may  
 4116 be sold by the Cherokee Nation in such manner as their national  
 4117 council may prescribe, all such sales being first approved by the  
 4118 Secretary of the Interior.

4119 ARTICLE 19. All Cherokees being heads of families residing  
 4120 at the date of the ratification of this treaty on any of the lands  
 4121 herein ceded, or authorized to be sold, and desiring to remove to  
 4122 the reserved country, shall be paid by the purchasers of said  
 4123 lands the value of such improvements, to be ascertained and  
 4124 appraised by the commissioners who appraise the lands, subject  
 4125 to the approval of the Secretary of the Interior; and if he shall  
 4126 elect to remain on the land now occupied by him, shall be enti-  
 4127 tled to receive a patent from the United States in fee-simple for  
 4128 three hundred and twenty acres of land, to include his improve-  
 4129 ments, and thereupon he and his family shall cease to be mem-  
 4130 bers of the nation.

4131 And the Secretary of the Interior shall also be authorized  
 4132 to pay the reasonable costs and expenses of the delegates of the  
 4133 southern Cherokees.

4134 The moneys to be paid under this article shall be paid out  
 4135 of the proceeds of the sales of the national lands in Kansas.

4136 ARTICLE 20. Whenever the Cherokee national council shall  
 4137 request it, the Secretary of the Interior shall cause the country  
 4138 reserved for the Cherokees to be surveyed and allotted among  
 4139 them, at the expense of the United States.

4140 ARTICLE 21. It being difficult to learn the precise boundary  
 4141 line between the Cherokee country and the States of Arkansas,  
 4142 Missouri, and Kansas, it is agreed that the United States shall,  
 4143 at its own expense, cause the same to be run as far west as the  
 4144 Arkansas, and marked by permanent and conspicuous monu-  
 4145 ments, by two commissioners, one of whom shall be designated  
 4146 by the Cherokee national council.

4147 ARTICLE 22. The Cherokee national council, or any duly  
 4148 appointed delegation thereof, shall have the privilege to appoint  
 4149 an agent to examine the accounts of the nation with the  
 4150 Government of the United States, at such time as they may  
 4151 see proper, and to continue or discharge such agent, and to ap-  
 4152 point another, as may be thought best by such council or dele-  
 4153 gation; and such agent shall have free access to all accounts  
 4154 and books in the executive departments relating to the business  
 4155 of said Cherokee Nation, and an opportunity to examine the  
 4156 same in the presence of the officer having such books and pa-  
 4157 pers in charge.

4158 ARTICLE 23. All funds now due the nation, or that may  
 4159 hereafter accrue from the sale of their lands by the United  
 4160 States, as hereinbefore provided for, shall be invested in the  
 4161 United States registered stocks at their current value, and the  
 4162 interest on all said funds shall be paid semi-annually, on the  
 4163 order of the Cherokee Nation, and shall be applied to the fol-  
 4164 lowing purposes, to wit: Thirty-five per cent. shall be applied  
 4165 for the support of the common-schools of the nation and educa-  
 4166 tional purposes; fifteen per cent. for the orphan fund, and fifty  
 4167 per cent. for general purposes, including reasonable salaries of  
 4168 district officers; and the Secretary of the Interior, with the ap-  
 4169 proval of the President of the United States, may pay out of  
 4170 the funds due the nation, on the order of the national council  
 4171 or a delegation duly authorized by it, such amount as he may  
 4172 deem necessary to meet outstanding obligations of the Cherokee  
 4173 Nation, caused by the suspension of the payment of their annu-  
 4174 ities, not to exceed the sum of one hundred and fifty thousand  
 4175 dollars.

4176 ARTICLE 24. As a slight testimony for the useful and ardu-  
 4177 ous services of the Rev. Evan Jones, for forty years a mission-  
 4178 ary in the Cherokee Nation, now a cripple, old and poor, it is  
 4179 agreed that the sum of three thousand dollars be paid to him,  
 4180 under the direction of the Secretary of the Interior, out of any  
 4181 Cherokee fund in or to come into his hands not otherwise appro-  
 4182 priated.

4183 ARTICLE 25. A large number of the Cherokees who served  
 4184 in the Army of the United States having died, leaving no heirs  
 4185 entitled to receive bounties and arrears of pay on account of

such service, it is agreed that all bounties and arrears for service in the regiments of Indian United States volunteers which shall remain unclaimed by any person legally entitled to receive the same for two years from the ratification of this treaty, shall be paid as the national council may direct, to be applied to the foundation and support of an asylum for the education of orphan children, which asylum shall be under the control of the national council, or of such benevolent society as said council may designate, subject to the approval of the Secretary of the Interior.

ARTICLE 26. The United States guarantee to the people of the Cherokee Nation the quiet and peaceable possession of their country and protection against domestic feuds and insurrections, and against hostilities of other tribes. They shall also be protected against inter[r]uptions or intrusion from all unauthorized citizens of the United States who may attempt to settle on their lands or reside in their territory. In case of hostilities among the Indian tribes, the United States agree that the party or parties commencing the same shall, so far as practicable, make reparation for the damages done.

ARTICLE 27. The United States shall have the right to establish one or more military posts or stations in the Cherokee Nation, as may be deemed necessary for the proper protection of the citizens of the United States lawfully residing therein and the Cherokees and other citizens of the Indian country. But no sutler or other person connected therewith, either in or out of the military organization, shall be permitted to introduce any spirit[u]ous, vinous, or malt liquors into the Cherokee Nation, except the medical department proper, and by them only for strictly medical purposes. And all persons not in the military service of the United States, not citizens of the Cherokee Nation, are to be prohibited from coming into the Cherokee Nation, or remaining in the same, except as herein otherwise provided; and it is the duty of the United States Indian agent for the Cherokees to have such persons, not lawfully residing or sojourning therein, removed from the nation, as they now are, or hereafter may be, required by the Indian intercourse laws of the United States.

ARTICLE 28. The United States hereby agree to pay for provisions and clothing furnished the army under Appotholehala in the winter of 1861 and 1862, not to exceed the sum of ten thousand dollars, the accounts to be ascertained and settled by the Secretary of the Interior.

ARTICLE 29. The sum of ten thousand dollars, or so much thereof as may be necessary to pay the expenses of the delegates and representatives of the Cherokees invited by the Government to visit Washington for the purposes of making this

4232 treaty, shall be paid by the United States on the ratification of  
4233 this treaty.

4234 ARTICLE 30. The United States agree to pay to the proper  
4235 claimants all losses of property by missionaries or missionary  
4236 societies, resulting from their being ordered or driven from the  
4237 country by United States agents, and from their property being  
4238 taken and occupied or destroyed by *by* United States troops, not  
4239 exceeding in the aggregate twenty thousand dollars, to be ascer-  
4240 tained by the Secretary of the Interior.

4241 ARTICLE 31. All provisions of treaties heretofore ratified  
4242 and in force, and not inconsistent with the provisions of this  
4243 treaty, are hereby re-affirmed and declared to be in full force;  
4244 and nothing herein shall be construed as an acknowledgment  
4245 by the United States, or as a relinquishment by the Cherokee  
4246 Nation of any claims or demands under the guarantees of former  
4247 treaties, except as herein expressly provided.

4248 Proclaimed July 10, 1866.

4249 *Supplemental article to the treaty of July 19, 1866, between the*  
4250 *United States of America and the Cherokee Nation of Indians,*  
4251 *concluded April 27, 1868; ratifications advised June 6, 1868;*  
4252 *proclaimed June 10, 1868.*

4253 ANDREW JOHNSON, President of the United States of America,  
4254 to all and singular to whom these presents shall come,  
4255 greeting:

4256 Whereas to a treaty concluded at the city of Washington,  
4257 in the District of Columbia, on the nineteenth day of July, in  
4258 the year of our Lord one thousand eight hundred and sixty-six,  
4259 between the United States of America and the Cherokee Nation  
4260 of Indians, through their respective representatives, a supple-  
4261 mental article was made and concluded at the city of Washing-  
4262 ton, in the District of Columbia, on the twenty-seventh day of  
4263 April, in the year of our Lord one thousand eight hundred and  
4264 sixty-eight, by and between Nathaniel G. Taylor, commissioner,  
4265 on the part of the United States, and Lewis Downing, H. D.  
4266 Reese, Samuel Smith, Wm. P. Adair, J. P. Davis, Elias C. Bou-  
4267 dinot, J. A. Scales, and Arch. Scraper, delegates of the said  
4268 Cherokee Nation of Indians, on the part of said Indians, and  
4269 duly authorized thereto by them, which supplemental article of  
4270 treaty is in the words and figures following, to wit:

4271 Supplemental article to a treaty concluded at Washington City,  
4272 July 19th, A. D. 1866; ratified with amendments July 27th,  
4273 A. D. 1866; amendments accepted July 31st, A. D. 1866;  
4274 and the whole proclaimed August 11th, A. D. 1866, between

4275 the United States of America and the Cherokee Nation of  
4276 Indians.

4277 Whereas under the provisions of the seventeenth article of  
4278 a treaty and amendments thereto made between the United  
4279 States and the Cherokee Nation of Indians, and proclaimed  
4280 August 11th, A. D. 1866, a contract was made and entered into  
4281 by James Harlan, Secretary of the Interior, on behalf of the  
4282 United States, of the one part, and by the American Emigrant  
4283 Company, a corporation chartered and existing under the laws  
4284 of the State of Connecticut, of the other part, dated August  
4285 30th, A. D. 1866, for the sale of the so-called "Cherokee neu-  
4286 tral lands," in the State of Kansas, containing eight hundred  
4287 thousand acres, more or less, with the limitations and restric-  
4288 tions set forth in the said seventeenth article of said treaty as  
4289 amended, on the terms and conditions therein mentioned, which  
4290 contract is now on file in the Department of the Interior; and

4291 Whereas Orville H. Browning, Secretary of the Interior,  
4292 regarding said sale as illegal and not in conformity with  
4293 said treaty and amendments thereto, did, on the ninth day of  
4294 October, A. D. 1867, for and in behalf of the United States,  
4295 enter into a contract with James F. Joy, of the city of Detroit,  
4296 Michigan, for the sale of the aforesaid lands on the terms and  
4297 conditions in said contract set forth, and which is on file in the  
4298 Department of the Interior; and

4299 Whereas, for the purpose of enabling the Secretary of the  
4300 Interior, as trustee for the Cherokee Nation of Indians, to  
4301 collect the proceeds of sales of said lands and invest the same  
4302 for the benefit of said Indians, and for the purpose of prevent-  
4303 ing litigation and of harmonizing the conflicting interests of the  
4304 said American Emigrant Company and of the said James F.  
4305 Joy, it is the desire of all the parties in interest that the said  
4306 American Emigrant Company shall assign their said contract and  
4307 all their right, title, claim, and interest in and to the said "Cher-  
4308 okee neutral lands" to the said James F. Joy, and that the said  
4309 Joy shall assume and conform to all the obligations of said com-  
4310 pany under their said contract, as hereinafter modified:

4311 It is, therefore, agreed, by and between Nathaniel G. Taylor,  
4312 commissioner on the part of the United States of America, and  
4313 Lewis Downing, H. D. Reese, Wm. P. Adair, Elias C. Boudinot,  
4314 J. A. Scales, Archie Scraper, J. Porum Davis, and Samuel Smith,  
4315 commissioners on the part of the Cherokee Nation of Indians,  
4316 that an assignment of the contract made and entered into on the  
4317 30th day of August, A. D. 1866, by and between James Harlan,  
4318 Secretary of the Interior, for and in behalf of the United States  
4319 of America, of the one part, and the American Emigrant Com-  
4320 pany, a corporation chartered and existing under the laws of the

4321 State of Connecticut, of the other part, and now on file in the  
 4322 Department of the Interior, to James F. Joy, of the city of De-  
 4323 troit, Michigan, shall be made; and that said contract, as herein  
 4324 after modified, be and the same is hereby, with the consent of  
 4325 all parties, re-affirmed and declared valid; and that the contract  
 4326 entered into by and between Orville H. Browning, for and in  
 4327 behalf of the United States, of the one part, and James F. Joy,  
 4328 of the city of Detroit, Michigan, of the other part, on the 9th  
 4329 day of October, A. D. 1867, and now on file in the Department  
 4330 of the Interior, shall be relinquished and cancelled by the said  
 4331 James F. Joy, or his duly authorized agent or attorney; and the  
 4332 said first contract as hereinafter modified, and the assignment  
 4333 of the first contract, and the relinquishment of the second con-  
 4334 tract, are hereby ratified and confirmed, whenever said assign-  
 4335 ment of the first contract and the relinquishment of the second  
 4336 shall be entered of record in the Department of the Interior, and  
 4337 when the said James F. Joy shall have accepted said assignment  
 4338 and shall have entered into a contract with the Secretary of the  
 4339 Interior to assume and perform all obligations of the said  
 4340 American Emigrant Company under said first-named contract,  
 4341 as hereinafter modified.

4342 The modifications hereinbefore mentioned of said contract  
 4343 are hereby declared to be—

4344 1. That within ten days from the ratification of this supple-  
 4345 mental article the sum of seventy-five thousand dollars shall be  
 4346 paid to the Secretary of the Interior as trustee for the Cherokee  
 4347 Nation of Indians.

4348 2. That the other deferred payments specified in said con-  
 4349 tract shall be paid when they respectively fall due, with interest  
 4350 only from the date of the ratification hereof.

4351 It is further agreed and distinctly understood that, under  
 4352 the conveyance of the "Cherokee neutral lands" to the said  
 4353 American Emigrant Company, "with all beneficial interests  
 4354 therein," as set forth in said contract, the said company and  
 4355 their assignees shall take only the residue of said lands after  
 4356 securing to "actual settlers" the lands to which they are entitled  
 4357 under the provisions of the seventeenth article and amendments  
 4358 thereto of the said Cherokee treaty of August 11th, 1866; and  
 4359 that the proceeds of the sales of said lands, so occupied at the  
 4360 date of said treaty by "actual settlers," shall enure to the sole  
 4361 benefit of, and be retained by, the Secretary of the Interior as  
 4362 trustee for the said Cherokee Nation of Indians.

4363 Proclaimed April 27, 1868.

4364

## CREEKS.

4365 *A treaty of peace and friendship, made and concluded between the*  
 4366 *President of the United States of America, on the part and be-*  
 4367 *half of the said States, and the undersigned Kings, Chiefs, and*  
 4368 *Warriors of the Creek Nation of Indians, on the part and behalf*  
 4369 *of the said Nation.*

4370 The parties being desirous of establishing permanent peace  
 4371 and friendship between the United States and the said Creek  
 4372 Nation, and the citizens and members thereof, and to remove the  
 4373 causes of war by ascertaining their limits, and making other  
 4374 necessary, just, and friendly arrangements: the President of the  
 4375 United States, by Henry Knox, Secretary for the Department of  
 4376 War, whom he hath constituted with full powers for these pur-  
 4377 poses, by and with the advice and consent of the Senate of the  
 4378 United States, and the Creek Nation, by the undersigned Kings,  
 4379 Chiefs, and Warriors, representing the said nation, have agreed  
 4380 to the following articles.

4381 ARTICLE 4. \* \* \* the United States will cause the sum  
 4382 of one thousand and five hundred dollars to be paid annually to  
 4383 the said Creek Nation.

4384 Proclaimed August 13, 1790.

4385 N. B. The other portions of this treaty are suppressed by  
 4386 that of August 7, 1856. (See page 113.)

4387 *A treaty of limits between the United States of America and the*  
 4388 *Creek Nation of Indians.*

4389 Thomas Jefferson, President of the United States of Amer-  
 4390 ica, by James Wilkinson, of the State of Maryland, Brigadier-Gen-  
 4391 eral in the Army of the United States, Benjamin Hawkins, of North  
 4392 Carolina, and Andrew Pickens, of South Carolina, Commissioners  
 4393 Plenipotentiary of the United States, on the one part, and the  
 4394 Kings, Chiefs, Head-Men and Warriors of the Creek Nation, in  
 4395 council assembled, on the other part, have entered into the fol-  
 4396 lowing articles and conditions, viz:

4397 ARTICLE 2. The Commissioners of the United States, for and in  
 4398 consideration of the foregoing concession on the part of the Creek  
 4399 Nation, and in full satisfaction for the same, do hereby covenant  
 4400 and agree with the said nation, in behalf of the United States,  
 4401 that the said States shall pay to the said nation, annually, and  
 4402 every year, the sum of three thousand dollars. \* \* \*

4403 Proclaimed January 11, 1803.

4404 N. B. The other portions of this treaty are superseded by that  
 4405 of August 7, 1856. (See page 113.)

4406 *Articles of a treaty made at the City of Washington, this twenty-*  
 4407 *fourth day of January, one thousand eight hundred and twenty-*  
 4408 *six, between James Barbour, Secretary of War, thereto specially*  
 4409 *authorized by the President of the United States, and the under-*  
 4410 *signed, Chiefs and Head-Men of the Creek Nation of Indians, who*  
 4411 *have received full power from the said nation to conclude and ar-*  
 4412 *range all the matters herein provided for.*

4413 ARTICLE 4. The United States agree to pay to the said nation  
 4414 an additional perpetual annuity of twenty thousand dollars.

4415 Proclaimed January 24, 1826.

4416 N. B. The other portions of this treaty are superseded by  
 4417 that of August 7, 1856. (See page 113.)

4418 *Articles of a treaty made at the City of Washington between Lewis*  
 4419 *Cass, thereto specially authorized by the President of the United*  
 4420 *States, and the Creek tribe of Indians.*

4421 ARTICLE 1. The Creek tribe of Indians cede to the United  
 4422 States all their land east of the Mississippi River.

4423 ARTICLE 2. The United States engage to survey the said land  
 4424 as soon as the same can be conveniently done, after the ratifica-  
 4425 tion of this treaty, and when the same is surveyed to allow ninety  
 4426 principal chiefs of the Creek tribe to select one section each, and  
 4427 every other head of a Creek family to select one-half section each,  
 4428 which tracts shall be reserved from sale for their use for the term  
 4429 of five years, unless sooner disposed of by them. A census of  
 4430 these persons shall be taken under the direction of the President,  
 4431 and the selections shall be made so as to include the improve-  
 4432 ments of each person within his selection, if the same can be so  
 4433 made, and if not, then all the persons belonging to the same town,  
 4434 entitled to selections, and who cannot make the same, so as to  
 4435 include their improvements, shall take them in one body in a  
 4436 proper form. And twenty sections shall be selected, under the  
 4437 direction of the President, for the orphan children of the Creeks,  
 4438 and divided, and retained or sold for their benefit as the Presi-  
 4439 dent may direct. Provided, however, that no selections or loca-  
 4440 tions under this treaty shall be so made as to include the agency  
 4441 reserve.

4442 ARTICLE 3. These tracts may be conveyed by the persons  
 4443 selecting the same to any other persons for a fair consideration,  
 4444 in such manner as the President may direct. The contract shall  
 4445 be certified by some person appointed for that purpose by the  
 4446 President, but shall not be valid till the President approves the  
 4447 same. A title shall be given by the United States on the com-  
 4448 pletion of the payment.

4449 ARTICLE 4. At the end of five years, all the Creeks entitled  
 4450 to these selections, and desirous of remaining, shall receive pat-  
 4451 ents therefor, in fee-simple, from the United States.

4452 ARTICLE 13. There shall also be given to each emigrating  
 4453 warrior a rifle, moulds, wiper, and ammunition, and to each  
 4454 family one blanket. Three thousand dollars, to be expended as  
 4455 the President may direct, shall be allowed for the term of twenty  
 4456 years for teaching their children. As soon as half their people  
 4457 emigrate, one blacksmith shall be allowed them, and another  
 4458 when two-thirds emigrate, together with one ton of iron and two  
 4459 hundred weight of steel annually for each blacksmith. These  
 4460 blacksmiths shall be supported for twenty years.

4461 ARTICLE 14. The Creek country west of the Mississippi shall  
 4462 be solemnly guarantied to the Creek Indians, nor shall any State  
 4463 or Territory ever have a right to pass laws for the government  
 4464 of such Indians, but they shall be allowed to govern themselves,  
 4465 so far as may be compatible with the general jurisdiction which  
 4466 Congress may think proper to exercise over them. And the  
 4467 United States will also defend them from the unjust hostilities  
 4468 of other Indians, and will also, as soon as the boundaries of the  
 4469 Creek country west of the Mississippi are ascertained, cause a  
 4470 patent or grant to be executed to the Creek tribe, agreeably to  
 4471 the 3d section of the act of Congress of May 2d, [28,] 1830, en-  
 4472 titled "An act to provide for an exchange of lands with the In-  
 4473 dians residing in any of the States or Territories, and for their  
 4474 removal west of the Mississippi."

4475 Proclaimed April 4, 1832.

4476 N. B.—The other portions of this treaty are superseded by  
 4477 that of August 7, 1856. (See page 113.)

4478 *Articles of agreement and convention made and concluded at Fort*  
 4479 *Gibson, between Montfort Stokes, Henry L. Ellsworth, and*  
 4480 *John F. Schermerhorn, commissioners on the part of the*  
 4481 *United States, and the undersigned chiefs and head-men of the*  
 4482 *Muskogee or Creek Nation of Indians, this 14th day of Febru-*  
 4483 *ary, A. D. 1833.*

4484 ARTICLE 2. The United States hereby agree, by and with  
 4485 the consent of the Creek and Cherokee delegates, this day ob-  
 4486 tained, that the Muskogee or Creek country west of the Missis-  
 4487 sippi, shall be embraced within the following boundaries, viz :  
 4488 Beginning at the mouth of the north fork of the Canadian River,  
 4489 and run northerly four miles ; thence running a straight line so  
 4490 as to meet a line drawn from the south bank of the Arkansas  
 4491 River, opposite to the east or lower bank of Grand River, at its  
 4492 junction with the Arkansas, and which runs a course south, 44

deg. west, one mile, to a post placed in the ground; thence along said line to the Arkansas, and up the same and the Verdigris River, to where the old territorial line crosses it; thence along said line north to a point twenty-five miles from the Arkansas River, where the old territorial line crosses the same; thence running a line at right angles with the territorial line aforesaid, or west, to the Mexico line; thence along the said line southerly to the Canadian River, or to the boundary of the Choctaw country; thence down said river to the place of beginning. The lines, hereby defining the country of the Muskogee Indians on the north and east, bound the country of the Cherokees along these courses, as settled by the treaty concluded this day between the United States and that tribe.

ARTICLE 3. The United States will grant a patent, in fee-simple, to the Creek Nation of Indians for the land assigned said nation by this treaty or convention, whenever the same shall have been ratified by the President and Senate of the United States; and the right thus guaranteed by the United States shall be continued to said tribe of Indians, so long as they shall exist as a nation, and continue to occupy the country hereby assigned them.

ARTICLE 5. As an evidence of the kind feeling of the United States toward the Muskogee Indians, and as a testimonial of the [their] gratification with the present amicable and satisfactory adjustment of their difficulties with the Cherokees, experienced by the commissioners, they agree, on behalf of the United States, to furnish to the Creek Indians, west of the Mississippi, one blacksmith and one wheelwright or wagon-maker, as soon as they may be required by the nation, in addition to those already employed; also to erect shops and furnish tools for the same, and supply the smith-shops with one ton of iron and two hundred and fifty pounds of steel each; and allow the said Creek Indians annually, for education purposes, the sum of one thousand dollars, to be expended under the direction of the President of the United States; the whole of the above grants to be continued so long as the President may consider them conducive to the interest and welfare of the Creek Indians; and the United States will also cause to be erected, as soon as conveniently can be done, four patent railway mills for grinding corn, and will immediately purchase for them twenty-four cross-cut saws; it being distinctly understood, however, that the grants thus made to the Creek Indians by this article are intended solely for the use and benefit of that portion of the Creek Nation who are now settled west of the Mississippi.

Proclaimed April 12, 1834.

N. B.—The other portions of this treaty are superseded by that of 7 August, 1856. (See page 113.)

4540 *Articles of a treaty made and concluded at Fort Gibson, west of*  
 4541 *Arkansas, between Captain William Armstrong, act. super-*  
 4542 *intendent Western Territory, and Bret. Brig. Gen. Arbuckle,*  
 4543 *commissioners on the part of the United States and the un-*  
 4544 *dersigned chiefs, being a full delegation of the Creek chiefs duly*  
 4545 *authorized and empowered by their nation to adjust "their*  
 4546 *claims for property and improvements abandoned or lost in*  
 4547 *consequence of their emigration west of the Mississippi."*

4548 ARTICLE 4. \* \* \* \* It is further agreed that all the edu-  
 4549 cation funds of the Creeks, including the annuities above named,  
 4550 the annual allowance of one thousand dollars provided in the  
 4551 treaty of 1833, and also all balances of appropriations for edu-  
 4552 cation annuities that may be due from the United States, shall  
 4553 be expended in their own country for the support of a manual-  
 4554 labor school in the Canadian district, and of another in the Ar-  
 4555 kansas district: *Provided*, That the President does not object to  
 4556 such application of the annuities above named, granted in the  
 4557 treaties of 1832 and 1833. And it is also agreed that in the  
 4558 management of such school the wishes of the Creek council  
 4559 shall be consulted. (a)

4560 Proclaimed March 2, 1839. ✓

4561 N. B.—The other portions of this treaty are superseded by  
 4562 that of August 7, 1856. (See page 113.)

4563 FRANKLIN PIERCE, President of the United States of America,  
 4564 to all persons to whom these presents shall come, greeting:  
 4565 Whereas a treaty was made and concluded at the city of  
 4566 Washington, on the seventh day of August, eighteen hundred  
 4567 and fifty-six, between George W. Manypenny, commissioner on  
 4568 the part of the United States, Tuck-a-batchee-Micco, Echo-  
 4569 Harjo, Chilly McIntosh, Benjamin Marshall, George W. Stid-  
 4570 ham, and Daniel N. McIntosh, commissioners on the part  
 4571 of the Creeks; and John Jumper, Tuste-nuc-o-chee, Pars-co-fer,  
 4572 and James Factor, commissioners on the part of the Seminoles,  
 4573 which treaty is in the words and figures following, viz:

4574 Articles of agreement and convention between the United States  
 4575 and the Creek and Seminole Tribes of Indians, made and  
 4576 concluded at the city of Washington the seventh day of Au-  
 4577 gust, one thousand eight hundred and fifty-six, by George  
 4578 W. Manypenny, commissioner on the part of the United  
 4579 States, Tuck-a-batchee-Micco, Echo-Harjo, Chilly McIntosh,  
 4580 Benjamin Marshall, George W. Stidham, and Daniel N. Mc-  
 4581 Intosh, commissioners on the part of the Creeks; and John  
 4582 Jumper, Tuste-nuc-o-chee, Pars-co-fer, and James Factor,  
 4583 commissioners on the part of the Seminoles.

4584 Whereas the convention heretofore existing between the  
 4585 Creek and Seminole tribes of Indians west of the Mississippi  
 4586 River has given rise to unhappy and injurious dissensions and  
 4587 controversies among them, which render necessary a re-adjust-  
 4588 ment of their relations to each other and to the United States;  
 4589 and

4590 Whereas the United States desire, by providing the Semi-  
 4591 noles remaining in Florida with a comfortable home west of the  
 4592 Mississippi River, and by making a liberal and generous pro-  
 4593 vision for their welfare, to induce them to emigrate and become  
 4594 one people with their brethren already west, and also to afford  
 4595 to all the Seminoles the means of education and civilization, and  
 4596 the blessings of a regular civil government; and

4597 Whereas the Creek Nation and individuals thereof have, by  
 4598 their delegation, brought forward and persistently urged various  
 4599 claims against the United States, which it is desirable shall be  
 4600 finally adjusted and settled; and

4601 Whereas it is necessary, for the simplification and better  
 4602 understanding of the relations between the United States and  
 4603 said Creek and Seminole tribes of Indians, that all their sub-  
 4604 sisting treaty stipulations shall, as far as practicable, be em-  
 4605 bodied in one comprehensive instrument:

4606 Now, therefore, the United States, by their commissioner,  
 4607 George W. Manypenny, the Creek tribe of Indians, by their  
 4608 commissioners, Tuck-a-batchee-Micco, Echo-Harjo, Chilly Mc-  
 4609 Intosh, Benjamin Marshall, George W. Stidham, and Daniel N.  
 4610 McIntosh; and the Seminole tribe of Indians, by their commis-  
 4611 sioners, John Jumper, Tuste-nuc-o-chee, Pars-co-fer, and James  
 4612 Factor, do hereby agree and stipulate as follows, viz:

4613 ARTICLE 1. The Creek Nation doth hereby grant, cede, and  
 4614 convey to the Seminole Indians the tract of country included  
 4615 within the following boundaries, viz: beginning on the Canadian  
 4616 River, a few miles east of the ninety-seventh parallel of west  
 4617 longitude, where Ock-hi-appo, or Pond Creek, empties into the  
 4618 same; thence, due north to the north fork of the Canadian;  
 4619 thence up said north fork of the Canadian to the southern line  
 4620 of the Cherokee country; thence, with that line, west, to the  
 4621 one hundredth parallel of west longitude; thence, south along  
 4622 said parallel of longitude to the Canadian River, and thence  
 4623 down and with that river to the place of beginning.

4624 ARTICLE 2. The following shall constitute and remain the  
 4625 boundaries of the Creek country, viz: beginning at the mouth  
 4626 of the north fork of the Canadian River, and running northerly  
 4627 four miles thence running a straight line so as to meet a line  
 4628 drawn from the south bank of the Arkansas River, opposite to  
 4629 the north or lower bank of Grand River, at its junction with the

4630 Arkansas, and which runs a course south, forty-four degrees  
 4631 west, one mile, to a post placed in the ground; thence along  
 4632 said line to the Arkansas and up the same and the Verdigris  
 4633 River, to where the old territorial line crosses it; thence along said  
 4634 line, north, to a point twenty-five miles from the Arkansas River,  
 4635 where the old territorial line crosses the same; thence running  
 4636 west with the southern line of the Cherokee country, to the  
 4637 north fork of the Canadian River, where the boundary of the  
 4638 cession to the Seminoles defined in the preceding article first  
 4639 strikes said Cherokee line; thence down said north fork, to  
 4640 where the eastern boundary-line of the said cession to the Semi-  
 4641 noles strikes the same; thence, with that line, due south to the  
 4642 Canadian River, at the mouth of the Ock-hi-appo, or Pond  
 4643 Creek; and thence down said Canadian River to the place of  
 4644 beginning.

4645       ARTICLE 3. The United States do hereby solemnly guaran-  
 4646 tee to the Seminole Indians the tract of country ceded to them  
 4647 by the first article of this convention; and to the Creek Indians,  
 4648 the lands included within the boundaries defined in the second  
 4649 article hereof; and likewise that the same shall respectively be  
 4650 secured to and held by said Indians by the same title and tenure  
 4651 by which they were guaranteed and secured to the Creek Nation  
 4652 by the fourteenth article of the treaty of March twenty-fourth,  
 4653 eighteen hundred and thirty-two, the third article of the treaty  
 4654 of February fourteenth, eighteen hundred and thirty-three, and  
 4655 by the letters-patent issued to the said Creek Nation, on the  
 4656 eleventh day of August, eighteen hundred and fifty-two, and re-  
 4657 corded in volume four of records of Indian deeds in the Office of  
 4658 Indian Affairs, pages 446 and 447: *Provided, however,* That no  
 4659 part of the tract of country so ceded to the Seminole Indians  
 4660 shall ever be sold, or otherwise disposed of without the consent  
 4661 of both tribes legally given.

4662       ARTICLE 4. The United States do hereby solemnly agree  
 4663 and bind themselves, that no State or Territory shall ever pass  
 4664 laws for the government of the Creek or Seminole tribes of In-  
 4665 dians, and that no portion of either of the tracts of country de-  
 4666 fined in the first and second articles of this agreement shall ever  
 4667 be embraced or included within, or annexed to, any Territory or  
 4668 State, nor shall either, or any part of either, ever be erected  
 4669 into a Territory without the full and free consent of the legisla-  
 4670 tive authority of the tribe owning the same.

4671       ARTICLE 5. The Creek Indians do hereby absolutely and  
 4672 forever quit-claim and relinquish to the United States all their  
 4673 right, title, and interest in and to any lands heretofore owned or  
 4674 claimed by them, whether east or west of the Mississippi River,  
 4675 and any and all claim for or on account of any such lands, ex-

cept those embraced within the boundaries described in the second article of this agreement; and it doth also, in like manner, release and fully discharge the United States from all other claims and demands whatsoever, which the Creek Nation or any individuals thereof may now have against the United States, excepting only such as are particularly or in terms provided for and secured to them by the provisions of existing treaties and laws; and which are as follows, viz: permanent annuities in money amounting to twenty-four thousand five hundred dollars, secured to them by the fourth article of the treaty of seventh August, seventeen hundred and ninety, the second article of the treaty of June sixteenth, eighteen hundred and two, and the fourth article of the treaty of January twenty-fourth, eighteen hundred and twenty-six; permanent provision for a wheelwright, for a blacksmith and assistant; blacksmith-shop and tools, and for iron and steel under the eighth article of the last-mentioned treaty; and costing annually one thousand seven hundred and ten dollars; two thousand dollars per annum, during the pleasure of the President, for assistance in agricultural operations under the same treaty and article; six thousand dollars per annum for education for seven years, in addition to the estimate for present fiscal year, under the fourth article of the treaty of January fourth, eighteen hundred and forty-five; one thousand dollars per annum during the pleasure of the President, for the same object, under the fifth article of the treaty of February fourteenth, eighteen hundred and thirty-three; services of a wagon-maker, blacksmith and assistant, shop and tools, iron and steel, during the pleasure of the President, under the same treaty and article, and costing one thousand seven hundred and ten dollars annually; the last instalment of two thousand two hundred and twenty dollars for two blacksmiths and assistants, shops and tools, and iron and steel, under the thirteenth article of the treaty of March twenty-fourth, eighteen hundred and thirty-two, and which last it is hereby stipulated shall be continued for seven additional years. The following shall also be excepted from the foregoing quit-claim, relinquishment, release, and discharge, viz: the fund created and held in trust for Creek orphans under the second article of the treaty of March twenty-fourth, eighteen hundred and thirty-two; the right of such individuals among the Creeks as have not received it, to the compensation in money provided for by the act of Congress of March third, eighteen hundred and thirty-seven, in lieu of reservations of land to which they were entitled, but which were not secured to them, under the said treaty of eighteen hundred and thirty-two; the right of the reservees under the same treaty, who did not dispose of their reservations to the amounts for which they

4722 have been or may be sold by the United States; and the right  
 4723 of such members of the tribe to military-bounty lands, as are  
 4724 entitled thereto under existing laws of the United States. The  
 4725 right and interest of the Creek Nation and people in and to the  
 4726 matters and things so excepted, shall continue and remain the  
 4727 same as though this convention had never been entered into.

4728 ARTICLE 6. In consideration of the foregoing quit-claim, re-  
 4729 linquishment, release, and discharge, and of the cession of a  
 4730 country for the Seminole Indians contained in the first article  
 4731 of this agreement, the United States do hereby agree and stipu-  
 4732 late to allow and pay the Creek Nation the sum of one million  
 4733 of dollars, which shall be invested and paid as follows, viz : two  
 4734 hundred thousand dollars to be invested in some safe stocks,  
 4735 paying an interest of at least five per cent. per annum ; which  
 4736 interest shall be regularly and faithfully applied to purposes of  
 4737 education among the Creeks ; four hundred thousand dollars to  
 4738 be paid *per capita*, under the direction of the general council of  
 4739 the Creek Nation, to the individuals and members of said nation,  
 4740 [except such portion as they shall, by order of said national  
 4741 council, direct to be paid to the treasurer of said nation for  
 4742 any specified national object not exceeding (\$100,000) one hun-  
 4743 dred thousand dollars,] as soon as practicable after the ratifica-  
 4744 tion of this agreement ; and two hundred thousand dollars shall  
 4745 be set apart to be appropriated and paid as follows, viz : ten  
 4746 thousand dollars to be equally distributed and paid to those in-  
 4747 dividuals and their heirs, who, under act of Congress of March  
 4748 third, eighteen hundred and thirty-seven, have received money  
 4749 in lieu of reservations of land to which they were entitled, but  
 4750 which were not secured to them under the treaty of March  
 4751 twenty-fourth, eighteen hundred and thirty-two ; one hundred  
 4752 and twenty thousand dollars to be equally and justly distributed  
 4753 and paid, under the direction of the general council, to those  
 4754 Creeks, or their descendants, who emigrated west of the Missis-  
 4755 sippi River prior to said treaty of eighteen hundred and thirty-  
 4756 two, and to be in lieu of and in full compensation for the claims  
 4757 of such Creeks to an allowance equivalent to the reservations  
 4758 granted to the eastern Creeks by that treaty, and seventy thou-  
 4759 sand dollars for the adjustment and final settlement of such other  
 4760 claims of individual Creek Indians, as may be found to be equi-  
 4761 table and just by the general council of the nation : *Provided,*  
 4762 *however,* That no part of the three last-mentioned sums shall be  
 4763 allowed or paid to any other person or persons, whatsoever, than  
 4764 those who are actual and *bona-fide* members of the Creek Nation  
 4765 and belonging respectively to the three classes of claimants  
 4766 designated ; said sums to be remitted and paid as soon as prac-  
 4767 ticable after the general council shall have ascertained and des-

4768 ignated the persons entitled to share therein: *And provided*  
 4769 *further*, That any balance of the said sum of seventy thousand  
 4770 dollars, which may be found not to be actually necessary for  
 4771 the adjustment and settlement of the claims for which it is set  
 4772 apart, shall belong to the nation, and be applied to such object  
 4773 or objects of utility or necessity as the general council shall  
 4774 direct. The remaining sum of two hundred thousand dollars  
 4775 shall be retained by the United States, until the removal of the  
 4776 Seminole Indians, now in Florida, to the country west of the Mis-  
 4777 sissippi River herein provided for their tribe; whereupon the  
 4778 same, with interest thereon, at five per cent., from the date of the  
 4779 ratification of this agreement, shall be paid over to or invested  
 4780 for the benefit of the Creek Nation, as may then be requested  
 4781 by the proper authorities thereof: *Provided, however*, That if so  
 4782 paid over, it shall be equally divided and paid *per capita* to all  
 4783 the individuals and members of the Creek Nation, or be used  
 4784 and applied only for such objects or purposes of a strictly na-  
 4785 tional or beneficial character as the interests and welfare of the  
 4786 Creek people shall actually require.

4787 ARTICLE 7. It being the desire of the Creeks to employ  
 4788 their own teachers, mechanics, and farmers, all of the funds se-  
 4789 cured to the nation for educational, mechanical, and agricultural  
 4790 purposes, shall, as the same become annually due, be paid over  
 4791 by the United States to the treasurer of the Creek Nation. And  
 4792 the annuities in money due the nation under former treaties  
 4793 shall also be paid to the same officer, whenever the general  
 4794 council shall so direct.

4795 ARTICLE 8. The Seminoles hereby release and discharge the  
 4796 United States from all claims and demands which their delega-  
 4797 tion have set up against them, and obligate themselves to re-  
 4798 move to and settle in the new country herein provided for them  
 4799 as soon as practicable. In consideration of such release, dis-  
 4800 charge, and obligation, and as the Indians must abandon their  
 4801 present improvements, and incur considerable expense in re-es-  
 4802 tablishing themselves, and as the Government desires to secure  
 4803 their assistance in inducing their brethren yet in Florida to em-  
 4804igrate and settle with them west of the Mississippi River, and is  
 4805 willing to offer liberal inducements to the latter peaceably so to  
 4806 do, the United States do therefore agree and stipulate as fol-  
 4807 lows, viz: To pay to the Seminoles now west the sum of ninety  
 4808 thousand dollars, which shall be in lieu of their present improve-  
 4809 ments, and in full for the expenses of their removal and estab-  
 4810 lishing themselves in their new country; to provide annually  
 4811 for ten years the sum of three thousand dollars for the support  
 4812 of schools; two thousand dollars for agricultural assistance;  
 4813 and two thousand two hundred dollars for the support of smiths

4814 and smith-shops among them, said sums to be applied to these  
 4815 objects in such manner as the President shall direct. Also to  
 4816 invest for them the sum of two hundred and fifty thousand dol-  
 4817 lars, at five per cent. per annum, the interest to be regularly  
 4818 paid over to them *per capita* as annuity; the further sum of two  
 4819 hundred and fifty thousand dollars shall be invested in like man-  
 4820 ner whenever the Seminoles now remaining in Florida shall  
 4821 have emigrated and joined their brethren in the west, where-  
 4822 upon the two sums so invested shall constitute a fund belonging  
 4823 to the united tribe of Seminoles, and the interest on which, at  
 4824 the rate aforesaid, shall be annually paid over to them *per capita*  
 4825 as an annuity; but no portion of the principal thus invested, or  
 4826 the interest thereon annually due and payable, shall ever be  
 4827 taken to pay claims or demands against said Indians, except  
 4828 such as may hereafter arise under the intercourse laws.

4829       ARTICLE 9. The United States agree to remove comfortably  
 4830 to their new country west all those Seminoles now in Florida  
 4831 who can be induced to emigrate thereto; and to furnish them  
 4832 with sufficient rations of wholesome subsistence during their  
 4833 removal and for twelve months after their arrival at their new  
 4834 homes; also, to provide each warrior of eighteen years of age  
 4835 and upwards, who shall so remove, with one rifle-gun, if he  
 4836 shall not already possess one; with two blankets, a supply of  
 4837 powder and lead, a hunting-shirt, one pair of shoes, one and  
 4838 a half yards of strouding, and ten pounds of good tobacco; and  
 4839 each woman, youth, and child with a blanket, pair of shoes, and  
 4840 other necessary articles of comfortable clothing, and to expend  
 4841 for them in improvements, after they shall all remove, the sum  
 4842 of twenty thousand dollars. And to encourage the Seminoles  
 4843 to devote themselves to the cultivation of the soil, and become  
 4844 a sober, settled, industrious, and independent people, the United  
 4845 States do further agree to expend three thousand dollars in the  
 4846 purchase of ploughs and other agricultural implements, axes,  
 4847 seeds, looms, cards, and wheels; the same to be proportionately  
 4848 distributed among those now west, and those who shall emigrate  
 4849 from Florida.

4850       ARTICLE 10. The Seminoles west do hereby agree and bind  
 4851 themselves to furnish, at such time or times as the President  
 4852 may appoint, a delegation of such members of their tribe as  
 4853 shall be selected for the purpose, to proceed to Florida, under  
 4854 the direction of an agent of the Government, to render such  
 4855 peaceful services as may be required of them, and otherwise to  
 4856 do all in their power to induce their brethren remaining in that  
 4857 State to emigrate and join them in the west; the United States  
 4858 agreeing to pay them and such members of the Creek tribe as  
 4859 may voluntarily offer to join them and be accepted for the same

4860 service, a reasonable compensation for their time and services,  
 4861 as well as their travelling and other actual and necessary ex-  
 4862 penses.

4863 ARTICLE 11. It is further hereby agreed that the United  
 4864 States shall pay Foc-te-lus-te-harjo, his heirs or assigns, the sum  
 4865 of four hundred dollars, in consideration of the unpaid services  
 4866 of said Foc-te-luc-te-harjoe, or Black Dirt, rendered by him as  
 4867 chief of the friendly band of Seminole warriors who fought for  
 4868 the United States during the Florida war.

4869 ARTICLE 12. So soon as the Seminoles west shall have re-  
 4870 moved to the new country herein provided for them, the United  
 4871 States will then select a site and erect the necessary buildings  
 4872 for an agency, including a council-house for the Seminoles.

4873 ARTICLE 13. The officers and people of each of the tribes of  
 4874 Creeks and Seminoles shall, at all times, have the right of safe  
 4875 conduct and free passage through the lands and territory of the  
 4876 other. The members of each shall have the right freely to settle  
 4877 within the country of the other, and shall thereupon be entitled  
 4878 to all the rights, privileges, and immunities of members thereof,  
 4879 except that no member of either tribe shall be entitled to partici-  
 4880 pate in any funds belonging to the other tribe. Members of each  
 4881 tribe shall have the right to institute and prosecute suits in the  
 4882 courts of the other, under such regulations as may, from time to  
 4883 time, be prescribed by their respective legislatures.

4884 ARTICLE 14. Any person duly charged with a criminal  
 4885 offense against the laws of either the Creek or Seminole tribe,  
 4886 and escaping into the jurisdiction of the other, shall be promptly  
 4887 surrendered upon the demand of the proper authority of the tribe  
 4888 within whose jurisdiction the offense shall be alleged to have  
 4889 been committed.

4890 ARTICLE 15. So far as may be compatible with the Consti-  
 4891 tution of the United States, and the laws made in pursuance  
 4892 thereof, regulating trade and intercourse with the Indian tribes,  
 4893 the Creeks and Seminoles shall be secured in the unrestricted  
 4894 right of self-government, and full jurisdiction over persons and  
 4895 property, within their respective limits; excepting, however, all  
 4896 white persons, with their property, who are not, by adoption or  
 4897 otherwise, members of either the Creek or Seminole tribe; and  
 4898 all persons not being members of either tribe, found within their  
 4899 limits, shall be considered intruders, and be removed from and  
 4900 kept out of the same by the United States agents for said tribes,  
 4901 respectively, (assisted, if necessary, by the military,) with the  
 4902 following exceptions, viz: such individuals with their families  
 4903 as may be in the employment of the Government of the United  
 4904 States; all persons peaceably travelling, or temporarily sojourn-  
 4905 ing in the country, or trading therein under license from the

proper authority of the United States; and such persons as may be permitted by the Creeks or Seminoles, with the assent of the proper authorities of the United States, to reside within their respective limits without becoming members of either of said tribes.

ARTICLE 16. The Creeks and Seminoles shall promptly apprehend and deliver up all persons accused of any crime against the laws of the United States, or of any State thereof, who may be found within their limits, on demand of any proper officer of a State or of the United States.

ARTICLE 17. All persons licensed by the United States to trade with the Creeks or Seminoles shall be required to pay to the tribe within whose country they trade a moderate annual compensation for the land and timber used by them, the amount of such compensation, in each case, to be assessed by the proper authorities of said tribe, subject to the approval of the United States agent therefor.

ARTICLE 18. The United States shall protect the Creeks and Seminoles from domestic strife, from hostile invasion, and from aggression by other Indians and white persons, not subject to their jurisdiction and laws; and for all injuries resulting from such invasion or aggression, full indemnity is hereby guaranteed to the party or parties injured out of the Treasury of the United States, upon the same principle and according to the same rules upon which white persons are entitled to indemnity for injuries or aggressions upon them, committed by Indians.

ARTICLE 19. The United States shall have the right to establish and maintain such military posts, military and post-roads, and Indian agencies as may be deemed necessary within the Creek and Seminole country, but no greater quantity of land or timber shall be used for said purposes than shall be actually requisite; and if, in the establishment or maintenance of such posts, roads, or agencies, the property of any Creek or Seminole be taken, destroyed, or injured, or any property of either nation, other than land and timber, just and adequate compensation shall be made by the United States. Such persons only as are or may be in the employment of the United States, in any capacity, civil or military, or subject to the jurisdiction and laws of the Creeks and Seminoles, shall be permitted to farm or raise stock within the limits of any of said military posts or Indian agencies. And no offender against the laws of either of said tribes shall be permitted to take refuge therein.

ARTICLE 20. The United States, or any incorporated company, shall have the right of way for railroads, or lines of telegraphs, through the Creek and Seminole countries; but in the case of any incorporated company, it shall have such right of

way only upon such terms, and payment of such amount to the Creeks and Seminoles, as the case may be, as may be agreed upon between it and the national council thereof; or, in case of disagreement, by making full compensation, not only to individual parties injured, but also to the tribe for the right of way, all damage and injury done to be ascertained and determined in such manner as the President of the United States shall direct. And the right of way granted by either of said tribes for any railroad shall be perpetual, or for such shorter term as the same may be granted, in the same manner as if there were no revision of their lands to the United States provided for, in case of abandonment by them, or of extinction of their tribe.

ARTICLE 21. The United States will cause such portions of the boundaries of the Creek and Seminole countries as do not consist of well-defined natural boundaries, to be surveyed and permanently marked and established. The Creek and Seminole general councils may each appoint a commission from their own people to attend the running of their respective boundaries, whose expenses and a reasonable allowance for their time and services, while engaged in such duty, shall be paid by the United States.

ARTICLE 22. That this convention may conduce, as far as possible, to the restoration and preservation of kind and friendly feelings among the Creeks and Seminoles, a general amnesty of all past offences committed within their country, either west or east of the Mississippi, is hereby declared.

ARTICLE 23. A liberal allowance shall be made to each of the delegations signing this convention; including, with the Seminole delegation, George W. Brinton, the interpreter, as a compensation for their travelling and other expenses in coming to and remaining in this city and returning home.

ARTICLE 24. Should the Seminoles in Florida desire to have a portion of the country described in the first article of this agreement set apart for their residence, it is agreed that the Seminoles west may make such arrangement, not inconsistent with this instrument, as may be satisfactory to their brethren in Florida.

ARTICLE 25. The Creek laws shall be in force and continue to operate in the country herein assigned to the Seminoles, until the latter remove thereto; when they shall cease and be of no effect.

ARTICLE 26. This convention shall supersede and take the place of all former treaties, between the United States and the Creeks, between the United States and the Florida Indians and Seminoles, and between the Creeks and Seminoles, inconsistent herewith; and shall take effect and be obligatory on the con-

tracting parties from the date hereof, whenever it shall be ratified by the Senate and President of the United States.

ARTICLE 27. And it is further agreed that nothing herein contained shall be so construed as to release the United States from any liability other than those in favor of said nations or individuals thereof.

Proclaimed August 28, 1856.

*Treaty between the United States of America and the Creek Nation of Indians, concluded June 14, 1866; ratification advised, with amendments, July 19, 1866; amendments accepted July 23, 1866.*

ANDREW JOHNSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

Whereas a treaty was made and concluded at the city of Washington, in the District of Columbia, on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley and Elijah Sells, commissioners, on the part of the United States, and Ok-ta-has Harjo, Cow-mikko, and Cotch-cho-chee, delegates at large of the Creek Nation of Indians, and D. N. McIntosh and James M. C. Smith, special delegates of the Southern Creeks, on the part of said Creek Nation of Indians and Southern Creeks, all of which delegates at large and special delegates were duly authorized thereto by said Creek Nation and Southern Creeks, which treaty is in the words and figures following, to wit:

Treaty of cession and indemnity concluded at the city of Washington on the fourteenth day of June, in the year of our Lord one thousand eight hundred and sixty-six, by and between the United States, represented by Dennis N. Cooley, Commissioner of Indian Affairs, Elija Sells, superintendent of Indian affairs for the southern superintendency, and Col. Ely S. Parker, special commissioner, and the Creek Nation of Indians, represented by Ok-tars-sars-harjo, or Sands, Cow-e-to-me-co and Che-chu-chee, delegates at large, and D. N. McIntosh and James Smith, special delegates of the Southern Creeks.

5035

PREAMBLE.

Whereas existing treaties between the United States and the Creek Nation have become insufficient to meet their mutual necessities; and whereas the Creeks made a treaty with the so-called Confederate States, on the tenth of July, one thousand eight hundred and sixty-one, whereby they ignored their alle-

5041 giance to the United States, and unsettled the treaty relations  
 5042 existing between the Creeks and the United States, and did so  
 5043 render themselves liable to forfeit to the United States all bene-  
 5044 fits and advantages enjoyed by them in lands, annuities, pro-  
 5045 tection, and immunities, including their lands and other prop-  
 5046 erty held by grant or gift from the United States; and

5047 Whereas in view of said liabilities the United States require  
 5048 of the Creeks a portion of their land whereon to settle other  
 5049 Indians; and whereas a treaty of peace and amity was entered  
 5050 into between the United States and the Creeks and other tribes  
 5051 at Fort Smith, September tenth, eighteen hundred and sixty-five,  
 5052 whereby the Creeks revoked, cancelled, and repudiated the  
 5053 aforesaid treaty made with the so-called Confederate States; and

5054 Whereas the United States, through its commissioners, in  
 5055 said treaty of peace and amity, promised to enter into treaty  
 5056 with the Creeks to arrange and settle all questions relating to  
 5057 and growing out of said treaty with the so-called Confederate  
 5058 States:

5059 Now, therefore, the United States, by its commissioners, and  
 5060 the above-named delegates of the Creek Nation, the day and  
 5061 year above mentioned, mutually stipulate and agree, on behalf  
 5062 of the respective parties, as follows, to wit:

5063 ARTICLE 1. There shall be perpetual peace and friendship  
 5064 between the parties to this treaty, and the Creeks bind them-  
 5065 selves to remain firm allies and friends of the United States,  
 5066 and never to take up arms against the United States, but always  
 5067 faithfully to aid in putting down its enemies. They also agree  
 5068 to remain at peace with all other Indian tribes; and, in return,  
 5069 the United States guarantees them quiet possession of their  
 5070 country, and protection against hostilities on the part of other  
 5071 tribes. In the event of hostilities, the United States agree that  
 5072 the tribe commencing and prosecuting the same shall, as far as  
 5073 may be practicable, make just reparation therefor. To insure  
 5074 this protection, the Creeks agree to a military occupation of  
 5075 their country, at any time, by the United States, and the United  
 5076 States agree to station and continue in said country, from time  
 5077 to time, at its own expense, such force as may be necessary for  
 5078 that purpose. A general amnesty of all past offenses against  
 5079 the laws of the United States, committed by any member of the  
 5080 Creek Nation, is hereby declared. And the Creeks, anxious for  
 5081 the restoration of kind and friendly feelings among themselves,  
 5082 do hereby declare an amnesty for all past offenses against their  
 5083 government, and no Indian or Indians shall be proscribed, or  
 5084 any act of forfeiture or confiscation passed against those who  
 5085 have remained friendly to, or taken up arms against, the United  
 5086 States, but they shall enjoy equal privileges with other members

5087 of said tribe ; and all laws heretofore passed inconsistent here-  
 5088 with are hereby declared inoperative.

5089       ARTICLE 2. The Creeks hereby covenant and agree that hence-  
 5090 forth neither slavery nor involuntary servitude, otherwise than  
 5091 in the punishment of crimes, whereof the parties have been duly  
 5092 convicted in accordance with laws applicable to all members of  
 5093 said tribe, shall ever exist in said nation ; and inasmuch as there  
 5094 are among the Creeks many persons of African descent, who  
 5095 have no interest in the soil, it is stipulated that hereafter these  
 5096 persons lawfully residing in said Creek country under their laws  
 5097 and usages, or who have been thus residing in said country, and  
 5098 may return within one year from the ratification of this treaty,  
 5099 and their descendants and such others of the same race as may  
 5100 be permitted by the laws of the said nation to settle within the  
 5101 limits of the jurisdiction of the Creek Nation as citizens [thereof,]  
 5102 shall have and enjoy all the rights and privileges of native citi-  
 5103 zens, including an equal interest in the soil and national funds,  
 5104 and the laws of the said nation shall be equally binding upon and  
 5105 give equal protection to all such persons, and all others, of what-  
 5106 soever race or color, who may be adopted as citizens or members  
 5107 of said tribe.

5108       ARTICLE 3. In compliance with the desire of the United  
 5109 States to locate other Indians and freedmen thereon, the Creeks  
 5110 hereby cede and convey to the United States, to be sold to and  
 5111 used as homes for such other civilized Indians as the United  
 5112 States may choose to settle thereon, the west half of their entire  
 5113 domain, to be divided by a line running north and south ; the  
 5114 eastern half of said Creek lands, being retained by them, shall, ex-  
 5115 cept as herein otherwise stipulated, be forever set apart as a home  
 5116 for said Creek Nation ; and in consideration of said cession of the  
 5117 west half of their lands, estimated to contain three millions two  
 5118 hundred and fifty thousand five hundred and sixty acres, the  
 5119 United States agree to pay the sum of thirty (30) cents per acre,  
 5120 amounting to nine hundred and seventy-five thousand one hun-  
 5121 dred and sixty-eight dollars, in the manner hereinafter provided,  
 5122 to wit : two hundred thousand dollars shall be paid per capita  
 5123 in money, unless otherwise directed by the President of the  
 5124 United States, upon the ratification of this treaty, to enable the  
 5125 Creeks to occupy, restore, and improve their farms, and to make  
 5126 their nation independent and self-sustaining, and to pay the  
 5127 damages sustained by the mission schools on the North Fork  
 5128 and the Arkansas Rivers, not to exceed two thousand dollars, and  
 5129 to pay the delegates such per diem as the agent and Creek council  
 5130 may agree upon, as a just and fair compensation, all of which shall  
 5131 be distributed for that purpose by the agent, with the advice of the  
 5132 Creek council, under the direction of the Secretary of the Inte-

rior. One hundred thousand dollars shall be paid [in money and divided] to soldiers that enlisted in the Federal Army and the loyal refugee Indians and freedmen who were driven from their homes by the rebel forces, to reimburse them in proportion to their respective losses; four hundred thousand dollars be paid [in money and divided] per capita to said Creek Nation, unless otherwise directed by the President of the United States, under the direction of the Secretary of the Interior, as the same may accrue from the sale of land to other Indians. The United States agree to pay to said Indians, in such manner and for such purposes as the Secretary of the Interior may direct, interest at the rate of five per cent. per annum from the date of the ratification of this treaty, on the amount hereinbefore agreed upon for said ceded lands, after deducting the said two hundred thousand dollars; the residue, two hundred and seventy-five thousand one hundred and sixty-eight dollars, shall remain in the Treasury of the United States, and the interest thereon, at the rate of five per centum per annum, be annually paid to said Creeks as above stipulated.

ARTICLE 4. Immediately after the ratification of this treaty the United States agree to ascertain the amount due the respective soldiers who enlisted in the Federal Army, loyal refugee Indians and freedmen, in proportion to their several losses, and to pay the amount awarded each, in the following manner, to wit: A census of the Creeks shall be taken by the agent of the United States for said nation, under the direction of the Secretary of the Interior, and a roll of the names of all soldiers that enlisted in the Federal Army, loyal refugee Indians, and freedmen, be made by him. The superintendent of Indian affairs for the Southern superintendency and the agent of the United States for the Creek Nation shall proceed to investigate and determine from said roll the amounts due the respective refugee Indians, and shall transmit to the Commissioner of Indian Affairs for his approval, and that of the Secretary of the Interior, their awards, together with the reasons therefor. In case the awards so made shall be duly approved, said awards shall be paid from the proceeds of the sale of said lands within one year from the ratification of this treaty, or so soon as said amount of one hundred thousand (\$100,000) dollars can be raised from the sale of said land to other Indians.

ARTICLE 5. The Creek Nation hereby grant a right of way through their lands, to the Choctaw and Chickasaw country, to any company which shall be duly authorized by Congress, and shall, with the express consent and approbation of the Secretary of the Interior, undertake to construct a railroad from any point north of to any point in or south of the Creek coun-

try, and likewise from any point on their eastern to their western or southern boundary, but said railroad company, together with all its agents and employes, shall be subject to the laws of the United States relating to intercourse with Indian tribes, and also to such rules and regulations as may be prescribed by the Secretary of the Interior for that purpose, and the Creeks agree to sell to the United States, or any company duly authorized as aforesaid, such lands not legally owned or occupied by a member or members of the Creek Nation, lying along the line of said contemplated railroad, not exceeding on each side thereof a belt or strip of land three miles in width, at such price per acre as may be eventually agreed upon between said Creek Nation and the party or parties building said road, subject to the approval of the President of the United States: *Provided, however*, That said land thus sold shall not be reconveyed, leased, or rented to, or be occupied by any one not a citizen of the Creek Nation, according to its laws and recognized usages: *Provided, also*, That officers, servants, and employes of said railroad necessary to its construction and management, shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian intercourse law and such rules and regulations as may be established by the Secretary of the Interior, nor shall any conveyance of any of said lands be made to the party building and managing said road until its completion as a first-class railroad, and its acceptance as such by the Secretary of the Interior.

ARTICLE 6. [Stricken out by agreement.]

ARTICLE 7. The Creeks hereby agree that the Seminole tribe of Indians may sell and convey to the United States all or any portion of the Seminole lands, upon such terms as may be mutually agreed upon by and between the Seminoles and the United States.

ARTICLE 8. It is agreed that the Secretary of the Interior forthwith cause the line dividing the Creek country, as provided for by the terms of the sale of Creek lands to the United States in article third of this treaty, to be accurately surveyed under the direction of the Commissioner of Indian Affairs, the expenses of which survey shall be paid by the United States.

ARTICLE 9. Inasmuch as the agency buildings of the Creek tribe have been destroyed during the late war, it is further agreed that the United States shall, at their own expense, not exceeding ten thousand dollars, cause to be erected suitable agency buildings, the sites whereof shall be selected by the agent of said tribe, in the reduced Creek reservation, under the direction of the superintendent of Indian affairs.

In consideration whereof, the Creeks hereby cede and re-

linquish to the United States one section of their lands, to be designated and selected by their agent, under the direction of the superintendent of Indian affairs, upon which said agency buildings shall be erected, which section of land shall revert to the Creek nation when said agency buildings are no longer used by the United States, upon said nation paying a fair and reasonable value for said buildings at the time vacated.

ARTICLE 10. The Creeks agree to such legislation as Congress and the President of the United States may deem necessary for the better administration of justice and the protection of the rights of person and property within the Indian territory: *Provided, however*, [That] said legislation shall not in any manner interfere with or annul their present tribal organizations, rights, laws, privileges, and customs. The Creeks also agree that a general council, consisting of delegates elected by each nation or tribe lawfully resident within the Indian territory, may be annually convened in said territory, which council shall be organized in such manner and possess such powers as are hereinafter described.

First. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census, or enumeration of each tribe lawfully resident in said territory, shall be taken under the direction of the superintendent of Indian affairs, who for that purpose is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior, and paid by the United States.

Second. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said territory, and shall be selected by said tribes respectively, who may assent to the establishment of said general council, and if none should be thus formerly selected by any nation or tribe, the said nation or tribe shall be represented in said general council by the chief or chiefs and head men of said tribe, to be taken in the order of their rank as recognized in tribal usage, in the same number and proportion as above indicated. After the said census shall have been taken and completed, the superintendent of Indian affairs shall publish and declare to each tribe the number of members of said council to which they shall be entitled under the provisions of this article, and the persons entitled to so represent said tribes shall meet at such time and place as he shall appoint, but thereafter the time and place of the sessions of said council shall be determined by its

5271 action: *Provided*, That no session in any one year shall exceed  
 5272 the term of thirty days, and provided that special sessions of  
 5273 said council may be called whenever, in the judgment of the  
 5274 Secretary of the Interior, the interest of said tribe shall require.

5275 Third. Said general council shall have power to legislate  
 5276 upon all rightful subjects and matters pertaining to the inter-  
 5277 course and relations of the Indian tribes and nations resident in  
 5278 said territory, the arrest and extradition of criminals and  
 5279 offenders escaping from one tribe to another, the administration  
 5280 of justice between members of the several tribes of said terri-  
 5281 tory, and persons other than Indians and members of said tribes  
 5282 or nations, the construction of works of internal improvement,  
 5283 and the common defence and safety of the nations of said ter-  
 5284 ritory. All laws enacted by said general council shall take ef-  
 5285 fect at such time as may therein be provided, unless suspended  
 5286 by direction of the Secretary of the Interior or the President of  
 5287 the United States. No law shall be enacted inconsistent with  
 5288 the Constitution of the United States, or the laws of Congress,  
 5289 or existing treaty stipulations with the United States, nor shall  
 5290 said council legislate upon matters pertaining to the organiza-  
 5291 tion, laws, or customs of the several tribes, except as herein  
 5292 provided for.

5293 Fourth. Said council shall be presided over by the superin-  
 5294 tendent of Indian affairs, or, in case of his absence from any  
 5295 cause, the duties of said superintendent enumerated in this arti-  
 5296 cle shall be performed by such person as the Secretary of the  
 5297 Interior may direct.

5298 Fifth. The Secretary of the Interior shall appoint a secre-  
 5299 tary of said council, whose duty it shall be to keep an accurate  
 5300 record of all the proceedings of said council, and who shall  
 5301 transmit a true copy of all such proceedings, duly certified by  
 5302 the superintendent of Indian affairs, to the Secretary of the In-  
 5303 terior immediately after the sessions of said council shall termi-  
 5304 nate. He shall be paid out of the Treasury of the United States  
 5305 an annually salary of five hundred dollars.

5306 Sixth. The members of said council shall be paid by the  
 5307 United States the sum of four dollars per diem during the time  
 5308 actually in attendance on the sessions of said council, and at the  
 5309 rate of four dollars for every twenty miles necessar[il]y traveled  
 5310 by them in going to and returning to their homes respectively,  
 5311 from said council, to be certified by the secretary of said council  
 5312 and the superintendent of Indian affairs.

5313 Seventh. The Creeks also agree that a court or courts may  
 5314 be established in said territory, with such jurisdiction and organ-  
 5315 ized in such manner as Congress may by law provide.

5316 ARTICLE 11. The stipulations of this treaty are to be a full

5317 settlement of all claims of said Creek Nation for damages and  
 5318 losses of every kind growing out of the late rebellion and all  
 5319 expenditures by the United States of annuities in clothing and  
 5320 feeding refugee and destitute Indians since the diversion of an-  
 5321 nuities for that purpose consequent upon the late war with the  
 5322 so-called Confederate States; and the Creeks hereby ratify and  
 5323 confirm all such diversions of annuities heretofore made from  
 5324 the funds of the Creek Nation by the United States, and the  
 5325 United States agree that no annuities shall be diverted from  
 5326 the objects for which they were originally devoted by treaty  
 5327 stipulations with the Creeks, to the use of refugee and desti-  
 5328 tute Indians other than the Creeks or members of the Creek  
 5329 Nation after the close of the present fiscal year, June thirtieth,  
 5330 eighteen hundred and sixty-six.

5331 ARTICLE 12. The United States re-affirms and re-assumes all  
 5332 obligations of treaty stipulations with the Creek Nation entered  
 5333 into before the treaty of said Creek Nation with the so-called  
 5334 Confederate States, July tenth, eighteen hundred and sixty-one,  
 5335 not inconsistent herewith; and further agrees to renew all pay-  
 5336 ments accruing by force of said treaty stipulations from and  
 5337 after the close of the present fiscal year, June thirtieth, eighteen  
 5338 hundred and sixty-six, except as is provided in article eleventh.

5339 ARTICLE 13. A quantity of land not exceeding one hun-  
 5340 dred and sixty acres, to be selected according to legal subdivi-  
 5341 sions, in one body, and to include their improvements, is  
 5342 hereby granted to every religious society or denomination which  
 5343 has erected, or which, with the consent of the Indians, may  
 5344 hereafter erect, buildings within the Creek country for mission-  
 5345 ary or educational purposes; but no land thus granted, nor the  
 5346 buildings which have been or may be erected thereon, shall ever  
 5347 be sold or otherwise disposed of, except with the consent and  
 5348 approval of the Secretary of the Interior; and whenever any  
 5349 such lands or buildings shall be so sold or disposed of, the pro-  
 5350 ceeds thereof shall be applied, under the direction of the Secre-  
 5351 tary of the Interior, to the support and maintenance of other  
 5352 similar establishments for the benefit of the Creeks and such  
 5353 other persons as may be or may hereafter become members of the  
 5354 tribe according to its laws, customs, and usages; and if at any  
 5355 time said improvements shall be abandoned for one year for  
 5356 missionary or educational purposes, all the rights herein granted  
 5357 for missionary and educational purposes shall revert to the said  
 5358 Creek Nation.

5359 ARTICLE 14. It is further agreed that all treaties hereto-  
 5360 fore entered into between the United States and the Creek  
 5361 Nation which are inconsistent with any of the articles or pro-  
 5362 visions of this treaty shall be, and are hereby, rescinded and

5363 annulled; and it is further agreed that ten thousand dollars  
 5364 shall be paid by the United States, or so much thereof as may  
 5365 be necessary, to pay the expenses incurred in negotiating the  
 5366 foregoing treaty.

5367 Proclaimed August 11, 1866.

# 5368 CHEYENNES AND ARRAPAHOS.

5369 *Treaty between the United States of America and the Cheyenne and*  
 5370 *Arrapahoe tribes of Indians, concluded October 14, 1865;*  
 5371 *ratification advised, with amendments, May 22, 1866; amend-*  
 5372 *ments accepted November 10 and 19, 1866.*

5373 ANDREW JOHNSON, President of the United States of America,  
 5374 to all and singular to whom these presents shall come, greet-  
 5375 ing:

5376 Whereas a treaty was made and concluded at the camp on  
 5377 the Little Arkansas River, in the State of Kansas, on the four-  
 5378 teenth day of October, in the year of our Lord one thousand  
 5379 eight hundred and sixty-five, by and between John B. Sanborn,  
 5380 William S. Harney, Thomas Murphy, Kit Carson, William W.  
 5381 Bent, Jesse H. Leavenworth, and James Steele, commissioners  
 5382 on the part of the United States, and Moke-ta-ve-to, (Black  
 5383 Kettle,) Oh-to-ah-ne-so-to-wheo, (Seven Bulls,) Oh-has-tee, (Lit-  
 5384 tle Raven,) Oh-hah-mah-hah, (Storm,) and other chiefs and head-  
 5385 men of the Cheyenne and Arrapahoe tribes of Indians, on the  
 5386 part of said Indians, and duly authorized thereto by them, which  
 5387 treaty is in the words and figures following, to wit:

5388 Articles of a treaty made and concluded at the camp on the Little  
 5389 Arkansas River, in the State of Kansas, on the fourteenth day  
 5390 of October, in the year of our Lord one thousand eight  
 5391 hundred and sixty-five, by and between John B. Sanborn,  
 5392 William S. Harney, Thomas Murphy, Kit Carson, William  
 5393 W. Bent, Jesse H. Leavenworth, and James Steele, commis-  
 5394 sioners on the part of the United States, and the under-  
 5395 signed, chiefs and head-men of and representing the con-  
 5396 federate tribes of Arrapahoe and Cheyenne Indians of the  
 5397 Upper Arkansas River, they being duly authorized by their  
 5398 respective tribes to act in the premises.

5399 ARTICLE 1. It is agreed by the parties to this treaty that  
 5400 hereafter perpetual peace shall be maintained between the people  
 5401 and Government of the United States and the Indians parties  
 5402 hereto, and that the Indians parties hereto, shall forever remain  
 5403 at peace with each other, and with all other Indians who sus-

tain friendly relations with the Government of the United States. For the purpose of enforcing the provisions of this article it is agreed that in case hostile acts or depredations are committed by the people of the United States, or by Indians on friendly terms with the United States, against the tribe or tribes, or the individual members of the tribe or tribes, who are parties to this treaty, such hostile acts or depredations shall not be redressed by a resort to arms, but the party or parties aggrieved shall submit their complaints, through their agent, to the President of the United States, and thereupon an impartial arbitration shall be had, under his direction, and the award thus made shall be binding on all parties interested, and the Government of the United States will in good faith enforce the same. And the Indians, parties hereto, on their part, agree, in case crimes or other violations of law shall be committed by any person or persons, members of their tribe, such person or persons shall, upon complaint being made, in writing, to their agent, superintendent of Indian affairs, or to other proper authority, by the party injured, and verified by affidavit, be delivered to the person duly authorized to take such person or persons into custody, to the end that such person or persons may be punished according to the laws of the United States.

ARTICLE 2. The United States hereby agree that the district of country embraced within the following limits, or such portion of the same as may hereafter be designated by the President of the United States for that purpose, viz : commencing at the mouth of the Red Creek or Red Fork of the Arkansas River ; thence up said creek or fork to its source ; thence westwardly to a point on the Cimarrone River opposite the mouth of Buffalo Creek ; thence due north to the Arkansas River ; thence down the same to the beginning, shall be, and is hereby, set apart for the absolute and undisturbed use and occupation of the tribes who are parties to this treaty, and of such other friendly tribes as they may from time to time agree to admit among them, and that no white person, except officers, agents, and employees of the Government, shall go upon or settle within the country embraced within said limits, unless formally admitted and incorporated into some one of the tribes lawfully residing there, according to its laws and usages : *Provided, however,* That said Indians shall not be required to settle upon said reservation until such time as the United States shall have extinguished all claims of title thereto on the part of other Indians, so that the Indians parties hereto may live thereon at peace with all other tribes : "*Provided, however,* That as soon as practicable, with the assent of said tribe, the President of the United States shall designate for said tribes a reservation, no part of which shall be within the State

5450 of Kansas, and cause them as soon as practicable to remove to  
 5451 and settle thereon, but no such reservation shall be designated  
 5452 upon any reserve belonging to any other Indian tribe or tribes  
 5453 without their consent."

5454 The Indians parties hereto, on their part, expressly agree to  
 5455 remove to and accept as their permanent home the country em-  
 5456 braced within said limits whenever directed so to do by the  
 5457 President of the United States, in accordance with the provis-  
 5458 ions of this treaty, and that they will not go from said country  
 5459 for hunting or other purposes without the consent in writing of  
 5460 their agent or other authorized person, such written consent in  
 5461 all cases specifying the purpose for which such leave is granted,  
 5462 and shall be borne with them upon their excursions as evidence  
 5463 that they are rightfully away from their reservation, and shall  
 5464 be respected by all officers, employees, and citizens of the United  
 5465 States as their sufficient safeguard and protection against injury  
 5466 or damage in person or property by any and all persons whom-  
 5467 soever.

5468 It is further agreed by the Indians parties hereto that when  
 5469 absent from their reservation they will refrain from the commis-  
 5470 sion of any depredations or injuries to the person or property of  
 5471 all persons sustaining friendly relations with the Government of  
 5472 the United States; that they will not, while so absent, encamp  
 5473 by day or night within ten miles of any of the main traveled  
 5474 routes or roads through the country to which they go, or of the  
 5475 military posts, towns, or villages therein, without the consent of  
 5476 the commanders of such military posts, or of the civil authorities of  
 5477 such towns, or villages; and that henceforth they will, and do  
 5478 hereby, relinquish all claims or rights in and to any portion of  
 5479 the United States or Territories, except such as is embraced  
 5480 within the limits aforesaid, and more especially their claims and  
 5481 rights in and to the country bounded as follows, viz: beginning  
 5482 at the junction of the north and south forks of the Platte River;  
 5483 thence up the north fork to the top of the principal range of the  
 5484 Rocky Mountains, or to the Red Buttes; thence southwardly  
 5485 along the summit of the Rocky Mountains to the headwaters of  
 5486 the Arkansas River; thence down the Arkansas River to the  
 5487 Cimarrone crossing of the same; thence to the place of begin-  
 5488 ning; which country they claim to have originally owned, and  
 5489 never to have relinquished the title thereto.

5490 ARTICLE 3. It is further agreed that until the Indians  
 5491 parties hereto have removed to the reservation provided for by  
 5492 the preceding article in pursuance of the stipulations thereof,  
 5493 said Indians shall be, and they are hereby, expressly permitted  
 5494 to reside upon and range at pleasure throughout the unsettled  
 5495 portions of that part of the country they claim as originally

theirs, which lies between the Arkansas and Platte Rivers ; and that they shall and will not go elsewhere, except upon the terms and conditions prescribed by the preceding article in relation to leaving the reservation thereby provided for: *Provided*, That the provisions of the preceding article in regard to encamping within ten miles of main travelled routes, military posts, towns, and villages, shall be in full force as to the occupancy of the country named and permitted by the terms of this article: *Provided further*, That they, the said Indians, shall and will at all times during such occupancy, without delay, report to the commander of the nearest military post, the presence in or approach to said country of any hostile bands of Indians whatsoever.

ARTICLE 4. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by Article 2 of this treaty, such roads or highways as may be deemed necessary ; and may also establish such military posts within the same as may be found necessary in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now, or may from time to time be, prescribed by the President and Congress of the United States for the protection of the rights of persons and property among the Indians residing upon said reservation ; and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established: *Provided, however*, That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof, by the Indians inhabiting said reservation, shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as in the judgment of the Congress of the United States may be deemed just and proper.

ARTICLE 5. At the special request of the Cheyenne and Arrapahoe Indians, parties to this treaty, the United States agree to grant, by patent in fee-simple, to the following-named persons, all of whom are related to the Cheyennes or Arrapahoes by blood, to each an amount of land equal to one section of six hundred and forty acres, viz: To Mrs. Margaret Wilmarth and her children, Virginia Fitzpatrick, and Andrew Jackson Fitzpatrick ; to Mrs. Mary Keith and her children, William Keith, Mary J. Keith, and Francis Keith ; to Mrs. Matilda Pepperdin and her child, Miss Margaret Pepperdin ; to Robert Poisal and John Poisal ; to Edmund Guerrier, Rosa Guerrier, and Julia Guerrier ; to William W. Bent's daughter, Mary Bent Moore, and her three children, Adia Moore, William Bent Moore, and George Moore ; to William W. Bent's children, George Bent, Charles Bent, and Julia Bent ; to A-ma-che, the wife of John Prowers, and her

5542 children, Mary Prowers and Susan Prowers; to the children of  
 5543 Ote-se-ot-see, wife of John Y. Sickles, viz: Margaret, Minnie,  
 5544 and John; to the children of John S. Smith, interpreter, Wil-  
 5545 liam Gilpin Smith, and daughter Armama; to Jenny Lind  
 5546 Crocker, daughter of Ne-sou-hoe, or Are-you-there, wife of Lieu-  
 5547 tenant Crocker; to — Winsor, daughter of Tow-e-nah, wife  
 5548 of A. T. Winsor, sutler, formerly at Fort Lyon. Said lands to  
 5549 be selected under the direction of the Secretary of the Interior,  
 5550 from the reservation established by the 1st article of their treaty  
 5551 of February 18, A. D. 1861: "*Provided*, That said locations  
 5552 shall not be made upon any lands heretofore granted by the  
 5553 United States to any person, State, or corporation, for any pur-  
 5554 pose."

5555 ARTICLE 6. The United States being desirous to express its  
 5556 condemnation of, and, as far as may be, repudiate the gross and  
 5557 wanton outrages perpetrated against certain bands of Cheyenne  
 5558 and Arrapahoe Indians, on the twenty-ninth day of November,  
 5559 A. D. 1864, at Sand Creek, in Colorado Territory, while the said  
 5560 Indians were at peace with the United States, and under its flag,  
 5561 whose protection they had by lawful authority been promised  
 5562 and induced to seek, and the Government being desirous to  
 5563 make some suitable reparation for the injuries then done, will  
 5564 grant three hundred and twenty acres of land by patent to each  
 5565 of the following-named chiefs of said bands, viz: Moke-ta-ve-to,  
 5566 or Black Kettle; Oh-tah-ha-ne-so-weel, or Seven Bulls; Alik-ke-  
 5567 home-ma, or Little Robe; Moke-tah-vo-ve-hoe, or Black White  
 5568 Man; and will in like manner grant to each other person of said  
 5569 bands made a widow, or who lost a parent upon that occasion,  
 5570 one hundred and sixty acres of land, the names of such persons  
 5571 to be ascertained under the direction of the Secretary of the  
 5572 Interior: *Provided*, That said grants shall be conditioned that  
 5573 all devises, grants, alienations, leases, and contracts relative to  
 5574 said lands, made or entered into during the period of fifty years  
 5575 from the date of such patents, shall be unlawful and void. Said  
 5576 lands shall be selected under the direction of the Secretary of  
 5577 the Interior within the limits of country hereby set apart as a  
 5578 reservation for the Indians parties to this treaty, and shall be  
 5579 free from assessment and taxation so long as they remain  
 5580 inalienable. The United States will also pay in United States  
 5581 securities, animals, goods, provisions, or such other useful articles  
 5582 as may, in the discretion of the Secretary of the Interior, be  
 5583 deemed best adapted to the respective wants and conditions of  
 5584 the persons named in the schedule hereto annexed, they being  
 5585 present and members of the bands who suffered at Sand Creek,  
 5586 upon the occasion aforesaid, the sums set opposite their names,  
 5587 respectively, as a compensation for property belonging to them,

5588 and then and there destroyed or taken from them by the United  
5589 States troops aforesaid.

5590 ARTICLE 7. The United States agree that they will expend  
5591 annually during the period of forty years, from and after the  
5592 ratification of this treaty, for the benefit of the Indians who are  
5593 parties hereto, and of such others as may unite with them in  
5594 pursuance of the terms hereof, in such manner and for such pur-  
5595 poses as, in the judgment of the Secretary of the Interior, for  
5596 the time being, will best subserve their wants and interests as a  
5597 people, the following amounts, that is to say, until such time as  
5598 said Indians shall be removed to their reservation, as provided  
5599 for by Article 2 of this treaty, an amount which shall be equal  
5600 to twenty dollars per capita for each person entitled to partici-  
5601 pate in the beneficial provisions of this treaty, and from and  
5602 after the time when such removal shall have been accomplished,  
5603 an amount which shall be equal to forty dollars per capita for  
5604 each person entitled as aforesaid. Such proportion of the ex-  
5605 penditure provided for by this article as may be considered  
5606 expedient to distribute in the form of annuities shall be delivered  
5607 to said Indians as follows, viz: one-third thereof during the  
5608 spring, and two-thirds thereof during the autumn of each year.

5609 For the purpose of determining from time to time the aggre-  
5610 gate amount to be expended under the provisions of this article,  
5611 it is agreed that the number entitled to its beneficial provisions  
5612 the coming year is two thousand eight hundred, and that an  
5613 accurate census of the Indians entitled shall be taken at the  
5614 time of the annuity payment in the spring of each year by their  
5615 agent or other person designated for that purpose by the Secre-  
5616 tary of the Interior, which census shall be the basis on which  
5617 the amount to be expended the next ensuing year shall be deter-  
5618 mined.

5619 ARTICLE 8. The Indians parties to this treaty expressly  
5620 covenant and agree that they will use their utmost endeavor to  
5621 induce that portion of the respective tribes not now present to  
5622 unite with them and accede to the provisions of this treaty,  
5623 which union and accession shall be evidenced and made binding  
5624 on all parties whenever such absentees shall have participated  
5625 in the beneficial provisions of this treaty.

5626 ARTICLE 9. Upon the ratification of this treaty all former  
5627 treaties are hereby abrogated.

5628 Proclaimed February 2, 1867.

5629 N. B.—The Apache tribe was brought into the provisions of  
5630 the above treaty by the second article of the treaty with the  
5631 Apaches, Cheyennes and Arrapahoes, proclaimed May 26, 1866,  
5632 the treaty following next to the above.

5633 *Treaty between the United States of America and the Apache,*  
 5634 *Cheyenne, and Arrapahoe tribes of Indians, concluded Octo-*  
 5635 *ber 17, 1865; ratification advised May 22, 1866.*

5636 ANDREW JOHNSON, President of the United States of America,  
 5637 to all and singular to whom these presents shall come,  
 5638 greeting :

5639 Whereas a treaty was made and concluded at the council-  
 5640 ground on the Little Arkansas River, in the State of Kansas, on  
 5641 the seventeenth day of October, in the year of our Lord one  
 5642 thousand eight hundred and sixty-five, by and between John B.  
 5643 Sanborn, William S. Harney, James Steele, William W. Bent,  
 5644 Kit Carson, Thomas Murphy, and J. H. Leavenworth, commis-  
 5645 sioners on the part of the United States, and Kou-zhon-ta-co,  
 5646 (Poor Bear,) Ba-zhe-ech, (Iron Shirt,) and other chiefs and head-  
 5647 men, on the part of the Apache tribe of Indians, Moke-ta-ve-to;  
 5648 (Black Kettle,) Oh-to-ah-ne-so-to-wheo, (Seven Bulls,) and other  
 5649 chiefs and head-men, on the part of the Cheyenne tribe of Indi-  
 5650 ans, and Oh-has-tee, (Little Raven,) Oh-hah-mah-hah, (Storm,) and other chiefs and head-men, on the part of the Arrapahoe  
 5651 tribe of Indians, all of which chiefs and head-men were duly au-  
 5652 thorized thereto by their respective tribes, which treaty is in the  
 5653 words and figures following, to wit :

5655 N. B.—The Apaches relinquish all rights, privileges, and  
 5656 grants given them by this treaty, in a treaty made, together with  
 5657 the Kiowas and Comanches, on the 21st of October, 1867.

5658 Whereas a treaty was made and concluded, by and be-  
 5659 tween the undersigned commissioners on the part of the United  
 5660 States, and the undersigned chiefs and head-men of the Cheyenne  
 5661 and Arrapahoe tribes of Indians, on the part of said tribes, on  
 5662 the fourteenth day of October, A. D. 1865, at the council-grounds  
 5663 on the Little Arkansas River, in the State of Kansas; and,  
 5664 whereas, the Apache Indians, who have been heretofore con-  
 5665 federated with the Kiowa and Comanche tribes of Indians, are  
 5666 desirous of dissolving said confederation and uniting their for-  
 5667 tunes with the said Cheyennes and Arrapahoes; and whereas  
 5668 the said last-named tribes are willing to receive among them-  
 5669 selves on an equal footing with the members of their own tribes,  
 5670 the said Apache Indians; and the United States, by their said  
 5671 commissioners, having given their assent thereto, it is there-  
 5672 fore hereby agreed by and between the United States, by their  
 5673 said commissioners, and the said Cheyenne, Arrapahoe, and  
 5674 Apache Indians, by the undersigned chiefs and head-men of said  
 5675 tribes respectively, as follows, viz :

5676 ARTICLE 1. The said Cheyenne, Arrapahoe, and Apache  
 5677 tribes henceforth shall be and they are hereby united, and the

5678 United States will hereafter recognize said tribes as the confed-  
 5679 erated bands or tribes of Cheyenne, Arrapahoe, and Apache  
 5680 Indians.

5681 ARTICLE 2. The several terms, stipulations, and agreements  
 5682 to be done and performed on the part of the United States for  
 5683 and with the said Cheyenne and Arrapahoe tribes of Indians,  
 5684 and by the said Cheyenne and Arrapahoe tribes of Indians, for and  
 5685 with the United States, by the provisions of said treaty of Oc-  
 5686 tober 14th, A. D. 1865, shall be done and performed by the  
 5687 United States for and on behalf of the said confederated tribes  
 5688 or bands of Cheyenne, Arrapahoe, and Apache Indians, and on  
 5689 their part shall be done, observed, and performed to, with and  
 5690 for the United States in the same manner, to the same extent,  
 5691 and for like objects, to all intents and purposes, as would have  
 5692 been the case had said treaty been originally made and executed  
 5693 with the said confederated tribes of Cheyenne, Arrapahoe, and  
 5694 Apache Indians.

5695 Proclaimed May 26, 1866.

5696 *Treaty between the United States of America and the Cheyenne and*  
 5697 *Arpahoe tribes of Indians, concluded October 28, 1867;*  
 5698 *ratification advised July 25, 1868.*

5699 ANDREW JOHNSON, President of the United States of America,  
 5700 to all and singular to whom these presents shall come, greet-  
 5701 ing:

5702 Whereas a treaty was made and concluded at the Council  
 5703 Camp, on Medicine Lodge Creek, seventy miles south of Fort  
 5704 Larned, in the State of Kansas, on the twenty-eighth day of  
 5705 October, in the year of our Lord one thousand eight hundred  
 5706 and sixty-seven, by and between N. G. Taylor, Brevet Major-  
 5707 General William S. Harney, Brevet Major-General C. C. Augur,  
 5708 Brevet Major-General Alfred H. Terry, John B. Sanborn, Samuel  
 5709 F. Tappan, and J. B. Henderson, commissioners on the part of  
 5710 the United States, and O-to-ah-nae-co, (Bull-Bear,) Moke-tav-  
 5711 a-to, (Black Kettle,) Little Raven, Yellow Bear, and other chiefs  
 5712 and head-men of the Cheyenne and Arapahoe tribes of Indians,  
 5713 on the part of said Indians, and duly authorized thereto by  
 5714 them, which treaty is in the words and figures following, to wit:

5715 Articles of a treaty and agreement made and entered into at the  
 5716 Council Camp on Medicine Lodge Creek, seventy miles south  
 5717 of Fort Larned, in the State of Kansas, on the twenty-  
 5718 eighth day of October, eighteen hundred and sixty-seven,  
 5719 by and between the United States of America, represented  
 5720 by its commissioners duly appointed thereto, to wit: Na-  
 5721 thaniel G. Taylor, William S. Harney, C. C. Augur, Alfred

5722 H. Terry, John B. Sanborn, Samuel F. Tappan, and John B.  
 5723 Henderson, of the one part, and the Cheyenne and Arapa-  
 5724 hoe tribes of Indians, represented by their chiefs and head-  
 5725 men, duly authorized and empowered to act for the body of  
 5726 the people of said tribes—the names of said chiefs and head-  
 5727 men being hereto subscribed—of the other part, witness :

5728 ARTICLE 1. From this day forward, all war between the  
 5729 parties to this agreement shall forever cease. The Government  
 5730 of the United States desires peace, and its honor is here pledged  
 5731 to keep it. The Indians desire peace, and they now pledge their  
 5732 honor to maintain it.

5733 If bad men among the whites, or among other people sub-  
 5734 ject to the authority of the United States, shall commit any  
 5735 wrong upon the person or property of the Indians, the United  
 5736 States will, upon proof made to the agent and forwarded to the  
 5737 Commissioner of Indian Affairs at Washington City, proceed at  
 5738 once to cause the offender to be arrested and punished according  
 5739 to the laws of the United States, and also re-imburse the injured  
 5740 person for the loss sustained.

5741 If bad men among the Indians shall commit a wrong or depre-  
 5742 dation upon the person or property of any one, white, black, or  
 5743 Indian, subject to the authority of the United States and at  
 5744 peace therewith, the tribes herein named solemnly agree that  
 5745 they will, on proof made to their agent, and notice by him, de-  
 5746 liver up the wrongdoer to the United States, to be tried and  
 5747 punished according to its laws; and in case they wilfully refuse  
 5748 so to do, the person injured shall be re-imbursed for his loss from  
 5749 the annuities or other moneys due or to become due to them  
 5750 under this or other treaties made with the United States. And  
 5751 the President, on advising with the Commissioner of Indian  
 5752 Affairs, shall prescribe such rules and regulations for ascertaining  
 5753 damages, under the provisions of this article, as in his judgment  
 5754 may be proper. But no such damages shall be adjusted and  
 5755 paid until thoroughly examined and passed upon by the Com-  
 5756 missioner of Indian Affairs and the Secretary of the Interior,  
 5757 and no one sustaining loss, while violating, or because of his  
 5758 violating, the provisions of this treaty or the laws of the United  
 5759 States, shall be re-imbursed therefor.

5760 ARTICLE 2. The United States agrees that the following  
 5761 district of country, to wit: commencing at the point where the  
 5762 Arkansas River crosses the 37th parallel of north latitude, thence  
 5763 west on said parallel—the said line being the southern boundary  
 5764 of the State of Kansas—to the Cimaron River, (sometimes called  
 5765 the Red Fork of the Arkansas River;) thence down said Cimaron  
 5766 River, in the middle of the main channel thereof, to the Arkansas  
 5767 River; thence up the Arkansas River, in the middle of the main

5768 channel thereof, to the place of beginning, shall be and the same  
 5769 is hereby set apart for the absolute and undisturbed use and  
 5770 occupation of the Indians herein named, and for such other  
 5771 friendly tribes or individual Indians, as from time to time they  
 5772 may be willing, with the consent of the United States, to admit  
 5773 among them; and the United States now solemnly agrees that  
 5774 no persons except those herein authorized so to do, and except  
 5775 such officers, agents, and employés of the Government as may  
 5776 be authorized to enter upon Indian reservations in discharge of  
 5777 duties enjoined by law, shall ever be permitted to pass over,  
 5778 settle upon, or reside in the territory described in this article, or  
 5779 in such territory as may be added to this reservation for the use  
 5780 of said Indians.

5781 ARTICLE 3. If it should appear from actual survey, or other  
 5782 examination of said tract of land, that it contains less than one  
 5783 hundred and sixty acres of tillable land for each person who at  
 5784 the time may be authorized to reside on it, under the provisions  
 5785 of this treaty, and a very considerable number of such persons  
 5786 shall be disposed to commence cultivating the soil as farmers,  
 5787 the United States agrees to set apart for the use of said Indians,  
 5788 as herein provided, such additional quantity of arable land  
 5789 adjoining to said reservation, or as near the same as it can be  
 5790 obtained, as may be required to provide the necessary amount.

5791 ARTICLE 4. The United States agrees at its own proper  
 5792 expense to construct at some place near the center of said reser-  
 5793 vation, where timber and water may be convenient, the following  
 5794 buildings, to wit: a warehouse or store-room for the use of the  
 5795 agent in storing goods belonging to the Indians, to cost not  
 5796 exceeding fifteen hundred dollars; an agency-building for the  
 5797 residence of the agent, to cost not exceeding three thousand  
 5798 dollars; a residence for the physician, to cost not more than  
 5799 three thousand dollars; and five other buildings, for a carpenter,  
 5800 farmer, blacksmith, miller, and engineer, each to cost not exceed-  
 5801 ing two thousand dollars; also a school-house or mission-build-  
 5802 ing, so soon as a sufficient number of children can be induced by  
 5803 the agent to attend school, which shall not cost exceeding five  
 5804 thousand dollars. The United States agrees, further, to cause  
 5805 to be erected on said reservation, near the other buildings herein  
 5806 authorized, a good steam circular saw-mill, with a grist-mill and  
 5807 shingle machine attached; the same to cost not exceeding eight  
 5808 thousand dollars.

5809 ARTICLE 5. The United States agrees that the agent for said  
 5810 Indians in the future shall make his home at the agency build-  
 5811 ing; that he shall reside among them, and keep an office open  
 5812 at all times for the purpose of prompt and diligent inquiry into  
 5813 such matters of complaint by and against the Indians as may be

5814 presented for investigation, under the provisions of their treaty  
 5815 stipulations, as also for the faithful discharge of other duties  
 5816 enjoined on him by law. In all cases of depredation on person or  
 5817 property, he shall cause the evidence to be taken in writing and  
 5818 forwarded, together with his finding, to the Commissioner of  
 5819 Indian Affairs, whose decision, subject to the revision of the  
 5820 Secretary of the Interior, shall be binding on the parties to this  
 5821 treaty.

5822 ARTICLE 6. If any individual, belonging to said tribes of In-  
 5823 dians, or legally incorporated with them, being the head of a  
 5824 family, shall desire to commence farming, he shall have the  
 5825 privilege to select, in the presence and with the assistance of the  
 5826 agent then in charge, a tract of land within said reservation not  
 5827 exceeding three hundred and twenty acres in extent, which tract  
 5828 when so selected, certified, and recorded in the land-book as  
 5829 herein directed, shall cease to be held in common, but the same  
 5830 may be occupied and held in the exclusive possession of the  
 5831 person selecting it, and of his family, so long as he or they may  
 5832 continue to cultivate it. Any person over eighteen years of age  
 5833 not being the head of a family, may in like manner select and  
 5834 cause to be certified to him, or her, for purposes of cultivation,  
 5835 a quantity of land not exceeding eighty acres in extent, and  
 5836 thereupon be entitled to the exclusive possession of the same as  
 5837 above directed.

5838 For each tract of land so selected, a certificate containing a  
 5839 description thereof, and the name of the person selecting it, with  
 5840 a certificate indorsed thereon, that the same has been recorded,  
 5841 shall be delivered to the party entitled to it by the agent, after  
 5842 the same shall have been recorded by him in a book to be kept  
 5843 in his office, subject to inspection, which said book shall be  
 5844 known as the "Cheyenne and Arapahoe Land Book." The Pre-  
 5845 sident may at any time order a survey of the reservation, and,  
 5846 when so surveyed, Congress shall provide for protecting the rights  
 5847 of settlers in their improvements, and may fix the character of  
 5848 the title held by each.

5849 The United States may pass such laws on the subject of alien-  
 5850 ation and descent of property, and on all subjects connected with  
 5851 the government of the Indians on said reservations, and the in-  
 5852 ternal police thereof as may be thought proper.

5853 ARTICLE 7. In order to insure the civilization of the tribes  
 5854 entering into this treaty, the necessity of education is admitted,  
 5855 especially by such of them as are or may be settled on said agri-  
 5856 cultural reservation, and they therefore pledge themselves to  
 5857 compel their children, male and female, between the ages of six  
 5858 and sixteen years, to attend school; and it is hereby made the  
 5859 duty of the agent for said Indians to see that this stipulation is

5860 strictly complied with; and the United States agrees that for  
 5861 every thirty children between said ages, who can be induced or  
 5862 compelled to attend school, a house shall be provided, and a  
 5863 teacher competent to teach the elementary branches of an Eng-  
 5864 lish education shall be furnished, who will reside among said  
 5865 Indians, and faithfully discharge his or her duties as a teacher.  
 5866 The provisions of this article to continue for not less than twenty  
 5867 years.

5868 ARTICLE 8. When the head of a family or lodge shall have  
 5869 selected lands and received his certificate as above directed, and  
 5870 the agent shall be satisfied that he intends in good faith to com-  
 5871 mence cultivating the soil for a living, he shall be entitled to re-  
 5872 ceive seeds and agricultural implements for the first year, not  
 5873 exceeding in value one hundred dollars; and for each succeed-  
 5874 ing year he shall continue to farm for a period of three years  
 5875 more, he shall be entitled to receive seeds and implements as  
 5876 aforesaid, not exceeding in value twenty-five dollars.

5877 And it is further stipulated that such persons as commence  
 5878 farming shall receive instruction from the farmer herein pro-  
 5879 vided for; and whenever more than one hundred persons shall  
 5880 enter upon the cultivation of the soil, a second blacksmith shall  
 5881 be provided, with such iron, steel, and other material as may be  
 5882 needed.

5883 ARTICLE 9. At any time after ten years from the making  
 5884 of this treaty the United States shall have the privilege of with-  
 5885 drawing the physician, farmer, blacksmith, carpenter, engineer,  
 5886 and miller, herein provided for, but in case of such withdrawal, an  
 5887 additional sum, thereafter, of ten thousand dollars per annum  
 5888 shall be devoted to the education of said Indians, and the Com-  
 5889 missioner of Indian Affairs shall upon careful inquiry into their  
 5890 condition make such rules and regulations for the expenditure  
 5891 of said sum as will best promote the educational and moral im-  
 5892 provement of said tribes.

5893 ARTICLE 10. In lieu of all sums of money or other an-  
 5894 nuities provided to be paid to the Indians herein named, under  
 5895 the treaty of October fourteenth, eighteen hundred and sixty-  
 5896 five, made at the mouth of Little Arkansas, and under all treat-  
 5897 ies made previous thereto, the United States agrees to deliver  
 5898 at the agency house on the reservation herein named, on the fif-  
 5899 teenth day of October, of each year, for thirty years, the follow-  
 5900 ing articles, to wit:

5901 For each male person over fourteen years of age, a suit of  
 5902 good, substantial woolen clothing, consisting of coat, pantaloons,  
 5903 flannel shirt, hat, and a pair of home-made socks.

5904 For each female over twelve years or age, a flannel skirt,

5905 or the goods necessary to make it, a pair of woolen hose, twelve  
5906 yards of calico, and twelve yards of cotton domestics.

5907 For the boys and girls under the ages named, such flannel  
5908 and cotton goods as may be needed to make each a suit as afore-  
5909 said, together with a pair of woolen hose for each.

5910 And in order that the Commissioner of Indian Affairs may  
5911 be able to estimate properly for the articles herein named, it  
5912 shall be the duty of the agent each year to forward to him a  
5913 full and exact census of the Indians on which the estimate from  
5914 year to year can be based.

5915 And, in addition to the clothing herein named, the sum of  
5916 twenty thousand dollars shall be annually appropriated for a  
5917 period of thirty years, to be used by the Secretary of the In-  
5918 terior in the purchase of such articles as, from time to time,  
5919 the condition and necessities of the Indians may indicate to be  
5920 proper. And if at any time, within the thirty years, it shall ap-  
5921 pear that the amount of money needed for clothing, under this  
5922 article, can be appropriated to better uses for the tribe herein  
5923 named, Congress may, by law, change the appropriation to other  
5924 purposes; but, in no event, shall the amount of this appropria-  
5925 tion be withdrawn or discontinued for the period named. And  
5926 the President shall, annually, detail an officer of the Army to  
5927 be present, and attest the delivery of all the goods herein named  
5928 to the Indians, and he shall inspect and report on the quantity  
5929 and quality of the goods and the manner of their delivery.

5930 ARTICLE 11. In consideration of the advantages and bene-  
5931 fits conferred by this treaty, and the many pledges of friendship  
5932 by the United States, the tribes who are parties to this agree-  
5933 ment hereby stipulate that they will relinquish all right to oc-  
5934 cupy permanently the territory outside of their reservation as  
5935 herein defined, but they yet reserve the right to hunt on any  
5936 lands south of the Arkansas so long as the buffalo may range  
5937 thereon in such numbers as to justify the chase; and no white  
5938 settlements shall be permitted on any part of the lands contained  
5939 in the old reservation as defined by the treaty made between  
5940 the United States and the Cheyenne, Arapahoe, and Apache  
5941 tribes of Indians, at the mouth of the Little Arkansas, under  
5942 date of October fourteenth, eighteen hundred and sixty-five,  
5943 within three years from this date; and they, the said tribes, fur-  
5944 ther expressly agree:

5945 1st. That they will withdraw all opposition to the construction  
5946 of the railroad now being built on the Smoky Hill River,  
5947 whether it be built to Colorado or New Mexico.

5948 2d. That they will permit the peaceable construction of any  
5949 railroad not passing over their reservation, as herein defined.

5950 3d. That they will not attack any persons at home or travel-

5951 ling, nor molest or disturb any wagon-trains, coaches, mules, or  
 5952 cattle belonging to the people of the United States, or to persons  
 5953 friendly therewith.

5954 4th. They will never capture or carry off from the settle-  
 5955 ments white women or children.

5956 5th. They will never kill or scalp white men, nor attempt to  
 5957 do them harm.

5958 6th. They withdraw all pretense of opposition to the con-  
 5959 struction of the railroad now being built along the Platte River,  
 5960 and westward to the Pacific Ocean ; and they will not in future  
 5961 object to the construction of railroads, wagon-roads, mail-  
 5962 stations, or other works of utility or necessity, which may be  
 5963 ordered or permitted by the laws of the United States. But  
 5964 should such roads or other works be constructed on the lands of  
 5965 their reservation, the Government will pay the tribe whatever  
 5966 amount of damage may be assessed by three disinterested com-  
 5967 missioners to be appointed by the President for that purpose,  
 5968 one of said commissioners to be a chief or head-man of the  
 5969 tribe.

5970 7th. They agree to withdraw all opposition to the military  
 5971 posts or roads now established, or that may be established, not  
 5972 in violation of treaties heretofore made or hereafter to be  
 5973 made with any of the Indian tribes.

5974 ARTICLE 12. No treaty for the cession of any portion or  
 5975 part of the reservation herein described, which may be held in  
 5976 common, shall be of any validity or force as against the said In-  
 5977 dians unless executed and signed by at least three-fourths of all  
 5978 the adult male Indians occupying or interested in the same : and  
 5979 no cession by the tribe shall be understood or construed in such  
 5980 manner as to deprive without his consent any individual member  
 5981 of the tribe of his rights to any tract of land selected by him as  
 5982 provided in Article 6 of this treaty.

5983 ARTICLE 13. The United States hereby agree to furnish  
 5984 annually to the Indians the physician, teachers, carpenter,  
 5985 miller, engineer, farmer, and blacksmiths, as herein contemplated,  
 5986 and that such appropriations shall be made from time to time,  
 5987 on the estimates of the Secretary of the Interior, as will be suf-  
 5988 ficient to employ such persons.

5989 ARTICLE 14. It is agreed that the sum of five hundred  
 5990 dollars, annually, for three years from date, shall be expended  
 5991 in presents to the ten persons of said tribe who, in the judgment  
 5992 of the agent, may grow the most valuable crops for the respect-  
 5993 ive year.

5994 ARTICLE 15. The tribes herein named agree that when the  
 5995 agency-house and other buildings shall be constructed on the  
 5996 reservation named, they will regard and make said reservation

5997 their permanent home, and they will make no permanent settle-  
 5998 ment elsewhere, but they shall have the right, subject to the  
 5999 conditions and modifications of this treaty, to hunt on the lands  
 6000 south of the Arkansas River, formerly called theirs, in the same  
 6001 manner as agreed on by the treaty of the "Little Arkansas,"  
 6002 concluded the fourteenth day of October, eighteen hundred and  
 6003 sixty-five.

6004 Proclaimed August 19, 1868.

6005 NORTHERN CHEYENNES AND NORTHERN ARRAPA-  
 6006 HOES.

6007 *Treaty between the United States of America and the Northern*  
 6008 *Cheyenne and Northern Arapahoe tribes of Indians, con-*  
 6009 *cluded May 10, 1868; ratification advised July 25, 1868.*

6010 ANDREW JOHNSON, President of the United States of America, to  
 6011 all and singular to whom these presents shall come, greeting :  
 6012 Whereas a treaty was made and concluded at Fort Laramie,  
 6013 in the Territory of Dakota, on the tenth day of May, in the year  
 6014 of our Lord one thousand eight hundred and sixty-eight, by and  
 6015 between Lieutenant-General William T. Sherman, Brevet Major-  
 6016 General William S. Harney, Brevet Major-General Alfred H.  
 6017 Terry, Brevet Major-General C. C. Augur, John B. Sanborn, and  
 6018 S. F. Tappan, commissioners on the part of the United States,  
 6019 and Wah-Toh-Nah, Bah-Ta-Che, and other chiefs and head-men  
 6020 of the Northern Cheyenne and Northern Arapahoe tribes of  
 6021 Indians, on the part of said Indians, and duly authorized thereto  
 6022 by them, which treaty is in the words and figures following, to  
 6023 wit:

6024 Articles of a treaty made and concluded at Fort Laramie, Da-  
 6025 kota Territory, on the tenth day of May, in the year of our  
 6026 Lord one thousand eight hundred and sixty-eight, by and  
 6027 between the undersigned commissioners on the part of the  
 6028 United States, and the undersigned chiefs and head-men of  
 6029 and representing the Northern Cheyenne and Northern Ar-  
 6030 apahoe Indians, they being duly authorized to act in the  
 6031 premises.

6032 ARTICLE 1. From this day forward peace between the par-  
 6033 ties to this treaty shall forever continue. The Government of  
 6034 the United States desires peace, and its honor is hereby pledged  
 6035 to keep it. The Indians desire peace, and they hereby pledge  
 6036 their honor to maintain it. If bad men among the whites, or  
 6037 among other people subject to the authority of the United

6038 States, shall commit any wrong upon the person or property of  
 6039 the Indians, the United States will, upon proof made to the  
 6040 agent and forwarded to the Commissioner of Indian Affairs  
 6041 at Washington City, proceed at once to cause the offender to  
 6042 be arrested and punished according to the laws of the United  
 6043 States, and also reimburse the injured person for the loss sus-  
 6044 tained.

6045 If bad men among the Indians shall commit a wrong or dep-  
 6046 redation upon the person or property of any one, white, black, or  
 6047 Indian, subject to the authority of the United States and at peace  
 6048 therewith, the Indians herein named solemnly agree that they will,  
 6049 on proof made to their agent, and notice by him, deliver up  
 6050 the wrong-doer to the United States, to be tried and punished  
 6051 according to its laws; and in case they wilfully refuse so to do,  
 6052 the person injured shall be reimbursed for his loss from the an-  
 6053 nuities or other moneys due or to become due to them under this  
 6054 or other treaties made with the United States. And the Presi-  
 6055 dent, on advising with the Commissioner of Indian Affairs,  
 6056 shall prescribe such rules and regulations for ascertaining dam-  
 6057 ages under the provisions of this article as in his judgment may  
 6058 be proper. But no such damages shall be adjusted and paid  
 6059 until thoroughly examined and passed upon by the Commissioner  
 6060 of Indian Affairs, and no one sustaining loss while violating, or  
 6061 because of his violating, the provisions of this treaty or the laws  
 6062 of the United States shall be reimbursed therefor.

6063 ARTICLE 2. The Indians, parties to this treaty, hereby agree  
 6064 to accept for their permanent home some portion of the tract of  
 6065 country set apart and designated as a permanent reservation for  
 6066 the Southern Cheyenne and Arapahoe Indians by a treaty entered  
 6067 into by and between them and the United States, at Medicine  
 6068 Lodge Creek, on the — day of October, eighteen hundred and  
 6069 sixty-seven, or some portion of the country and reservation set  
 6070 apart and designated as a permanent home for the Brulé and other  
 6071 bands of Sioux Indians, by a treaty entered into by and between  
 6072 said Indians and the United States, at Fort Laramie, D. T.,  
 6073 on the twenty-ninth day of April, eighteen hundred and sixty-  
 6074 eight. And the Northern Cheyenne and Arapahoe Indians  
 6075 do hereby relinquish, release, and surrender to the United  
 6076 States, all right, claim, and interest in and to all territory  
 6077 outside the two reservations above mentioned, except the right  
 6078 to roam and hunt while game shall be found in sufficient quanti-  
 6079 ties to justify the chase. And they do solemnly agree that they  
 6080 will not build any permanent homes outside of said reservations,  
 6081 and that within one year from this date they will attach them-  
 6082 selves permanently either to the agency provided for near the  
 6083 mouth of Medicine Lodge Creek, or to the agency about to be

6084 established on the Missouri River, near Fort Randall, or to the  
 6085 Crow agency near Otter Creek, on the Yellowstone River,  
 6086 provided for by treaty of the seventh day of May, eighteen hun-  
 6087 dred and sixty-eight, entered into by and between the United  
 6088 States and said Crow Indians, at Fort Laramie, D. T.; and it  
 6089 is hereby expressly understood that one portion of said Indians  
 6090 may attach themselves to one of the afore-mentioned reserva-  
 6091 tions, and another portion to another of said reservations, as  
 6092 each part or portion of said Indians may elect.

6093       ARTICLE 3. If any individual belonging to said tribes of  
 6094 Indians, or legally incorporated with them, being the head of a  
 6095 family, shall desire to commence farming, he shall have the  
 6096 privilege to select, in the presence and with the assistance of the  
 6097 agent then in charge, a tract of land within said reservations  
 6098 not exceeding three hundred and twenty acres in extent, which  
 6099 tract, when so selected, certified, and recorded in the "Land  
 6100 Book" as herein directed, shall cease to be held in common, but  
 6101 the same may be occupied and held in the exclusive possession  
 6102 of the person selecting it, and of his family, so long as he or  
 6103 they may continue to cultivate it.

6104       Any person over eighteen years of age, not being the head  
 6105 of a family, may in like manner select and cause to be certified  
 6106 to him or her, for purposes of cultivation, a quantity of land not  
 6107 exceeding eighty acres in extent, and thereupon be entitled to  
 6108 the exclusive possession of the same as above directed.

6109       For each tract of land so selected, a certificate containing a  
 6110 description thereof and the name of the person selecting it,  
 6111 with a certificate endorsed thereon that the same has been re-  
 6112 corded, shall be delivered to the party entitled to it by the agent  
 6113 after the same shall have been recorded by him in a book to be  
 6114 kept in his office, subject to inspection, which said book shall be  
 6115 known as the "Northern Cheyenne and Arapahoe Land Book."

6116       The President may, at any time, order a survey of the  
 6117 reservation; and when so surveyed, Congress shall provide for  
 6118 protecting the rights of settlers in their improvements, and may  
 6119 fix the character of the title held by each.

6120       The United States may pass such laws on the subject of  
 6121 alienation and descent of property as between Indians and on  
 6122 all subjects connected with the government of the Indians on  
 6123 said reservations, and the internal police thereof, as may be  
 6124 thought proper.

6125       ARTICLE 4. In order to insure the civilization of the tribe  
 6126 entering into this treaty, the necessity of education is admitted,  
 6127 especially by such of them as are or may be settled on said  
 6128 agricultural reservation, and they therefore pledge themselves  
 6129 to compel their children, male and female, between the ages of

6130 six and sixteen years, to attend school; and it is hereby made  
 6131 the duty of the agent for said Indians to see that this stipulation  
 6132 is strictly complied with; and the United States agrees that  
 6133 for every thirty children, between said ages, who can be in-  
 6134 duced or compelled to attend school, a house shall be provided,  
 6135 and a teacher, competent to teach the elementary branches of  
 6136 an English education, shall be furnished, who will reside among  
 6137 said Indians and faithfully discharge his or her duties as a  
 6138 teacher. The provisions of this article to continue for twenty  
 6139 years.

6140 ARTICLE 5. When the head of a family or lodge shall have  
 6141 selected lands, and received his certificate as above directed,  
 6142 and the agent shall be satisfied that he intends in good faith to  
 6143 commence cultivating the soil for a living, he shall be entitled  
 6144 to receive seeds and agricultural implements for the first year  
 6145 in value one hundred dollars, and for each succeeding year he  
 6146 shall continue to farm for a period of three years more he  
 6147 shall be entitled to receive seeds and implements as aforesaid in  
 6148 value twenty-five dollars per annum.

6149 And it is further stipulated that such persons as commence  
 6150 farming shall receive instructions from the farmer herein pro-  
 6151 vided for, and whenever more than one hundred persons shall  
 6152 enter upon the cultivation of the soil a second blacksmith shall  
 6153 be provided, with such iron, steel, and other material as may  
 6154 be needed.

6155 ARTICLE 6. In lieu of all sums of money or other annui-  
 6156 ties provided to be paid to the Indians herein named, under any  
 6157 and all treaties heretofore made with them, the United States  
 6158 agrees to deliver at the agency-house, on the reservations herein  
 6159 provided for, on the first day of September of each year, for  
 6160 thirty years, the following articles, to wit:

6161 For each male person over fourteen years of age, a suit of  
 6162 good substantial woolen clothing, consisting of coat, hat, panta-  
 6163 loons, flannel shirt, and a pair of woolen socks.

6164 For each female over twelve years of age, a flannel skirt, or  
 6165 the goods necessary to make it, a pair of woolen hose, twelve  
 6166 yards of calico, and twelve yards of cotton domestics.

6167 For the boys and girls under the ages named, such flannel  
 6168 and cotton goods as may be needed to make each a suit, as afore-  
 6169 said, together with a pair of woolen hose for each.

6170 And in order that the Commissioner of Indian Affairs may  
 6171 be able to estimate properly for the articles herein named, it  
 6172 shall be the duty of the agent each year to forward to him a full  
 6173 and exact census of the Indians, on which the estimates from  
 6174 year to year can be based.

6175 And, in addition to the clothing herein named, the sum of

6176 ten dollars shall be annually appropriated for each Indian roam-  
 6177 ing, and twenty dollars for each Indian engaged in agriculture,  
 6178 for a period of ten years, to be used by the Secretary of the In-  
 6179 terior in the purchase of such articles as from time to time  
 6180 the condition and necessities of the Indians may indicate to be  
 6181 proper. And if, at any time within the ten years, it shall appear  
 6182 that the amount of money needed for clothing under this article  
 6183 can be appropriated to better uses for the tribes herein named,  
 6184 Congress may by law change the appropriation to other pur-  
 6185 poses; but in no event shall the amount of this appropriation  
 6186 be withdrawn or discontinued for the period named. And the  
 6187 President shall annually detail an officer of the Army to be pres-  
 6188 ent and attest the delivery of all the goods herein named to the  
 6189 Indians, and he shall inspect and report on the quantity and  
 6190 quality of the goods and the manner of their delivery; and it is  
 6191 expressly stipulated that each Indian over the age of four years,  
 6192 who shall have removed to and settled permanently upon said  
 6193 reservation and complied with the stipulations of this treaty,  
 6194 shall be entitled to receive from the United States, for the pe-  
 6195 riod of four years after he shall have settled upon said reserva-  
 6196 tion, one pound of meat and one pound of flour per day, pro-  
 6197 vided the Indians cannot furnish their own subsistence at an  
 6198 earlier date; and it is further stipulated that the United States  
 6199 will furnish and deliver to each lodge of Indians, or family of  
 6200 persons legally incorporated with them, who shall remove to the  
 6201 reservation herein described and commence farming, one good  
 6202 American cow and one well-broken pair of American oxen, within  
 6203 sixty days after such lodge or family shall have so settled upon  
 6204 said reservation.

6205       ARTICLE 7. The United States hereby agrees to furnish  
 6206 annually to the Indians who settle upon the reservation a phy-  
 6207 sician, teachers, carpenter, miller, engineer, farmer, and black-  
 6208 smiths, as herein contemplated, and that such appropriations  
 6209 shall be made from time to time on the estimates of the Secre-  
 6210 tary of the Interior as will be sufficient to employ such persons.

6211       ARTICLE 8. No treaty for the cession of any portion of  
 6212 the reservations herein described, which may be held in common,  
 6213 shall be of any force or validity as against the said Indians, un-  
 6214 less executed and signed by at least a majority of all the adult  
 6215 male Indians occupying or interested in the same; and no ces-  
 6216 sion by the tribe shall be understood or construed in such man-  
 6217 ner as to deprive, without his consent, any individual member  
 6218 of the tribe of his right to any tract of land selected by him, as  
 6219 hereinbefore provided.

6220       ARTICLE 9. It is agreed that the sum of five hundred dol-  
 6221 lars annually for three years, from the date when they com-

6222 menced to cultivate a farm, shall be expended in presents to the  
 6223 ten persons of said tribe who, in the judgment of the agent,  
 6224 may grow the most valuable crops for the respective year.

6225 Proclaimed 25th August, 1868.

6226 CHIPPEWAS.

6227 *Articles of a treaty made and concluded at Saginaw, in the Terri-*  
 6228 *tory of Michigan, between the United States of America, by*  
 6229 *their commissioner, Lewis Cass, and the Chippewa Nation of*  
 6230 *Indians.*

6231 ARTICLE 1. The Chippewa Nation of Indians, in considera-  
 6232 tion of the stipulations herein made on the part of the United  
 6233 States, do hereby, forever, cede to the United States the land  
 6234 comprehended within the following lines and boundaries: Be-  
 6235 ginning at a point in the present Indian boundary-line, which  
 6236 runs due north from the mouth of the Great Auglaize River, six  
 6237 miles south of the place where the base line, so called, inter-  
 6238 sects the same; thence west sixty miles; thence in a direct line  
 6239 to the head of Thunder Bay River; thence down the same, fol-  
 6240 lowing the courses thereof, to the mouth; thence northeast to  
 6241 the boundary-line between the United States and the British  
 6242 Province of Upper Canada; thence with the same to the line  
 6243 established by the treaty of Detroit, in the year one thousand  
 6244 eight hundred and seven; thence with the said line to the place  
 6245 of beginning.

6246 ARTICLE 2. From the cession aforesaid the following tracts  
 6247 of land shall be reserved for the use of the Chippewa Nation of  
 6248 Indians:

6249 One tract, of eight thousand acres, on the east side of the  
 6250 river Au Sable, near where the Indians now live.

6251 One tract, of two thousand acres, on the river Mesagwisk.

6252 One tract, of six thousand acres, on the north side of the  
 6253 river Kawkawling, at the Indian village.

6254 One tract, of five thousand seven hundred and sixty acres,  
 6255 upon the Flint River, to include Reaum's village and a place  
 6256 called Kishkawbawee.

6257 One tract, of eight thousand acres, on the head of the river  
 6258 Huron, which empties into the Saginaw River at the village of  
 6259 Otusson.

6260 One island in the Saginaw Bay.

6261 One tract, of two thousand acres, where Nabobask formerly  
 6262 lived.

- 6263        One tract, of one thousand acres, near the island in the  
6264 Saginaw River.
- 6265        One tract, of six hundred and forty acres, at the bend of  
6266 the river Huron, which empties into the Saginaw River.
- 6267        One tract, of two thousand acres, at the mouth of Point  
6268 Augrais River.
- 6269        One tract, of one thousand acres, on the river Huron, at  
6270 Menoquet's village.
- 6271        One tract, of ten thousand acres, on the Shawassee River,  
6272 at a place called the Big Rock.
- 6273        One tract, of three thousand acres, on the Shawassee River,  
6274 at Ketchewaundaugenink.
- 6275        One tract, of six thousand acres, at the Little Forks on the  
6276 Tetabawasink River.
- 6277        One tract, of six thousand acres, at the Black Bird's town,  
6278 on the Tetabawasink River.
- 6279        One tract, of forty thousand acres, on west side of the Sagi-  
6280 naw River, to be hereafter located.
- 6281        ARTICLE 3. There shall be reserved, for the use of each of  
6282 the persons hereinafter mentioned and their heirs, which per-  
6283 sons are all Indians by descent, the following tracts of land:
- 6284        For the use of John Riley, the son of Menawcumegoqua, a  
6285 Chippewa woman, six hundred and forty acres of land, beginning  
6286 at the head of the first marsh above the mouth of the Saginaw  
6287 River, on the east side thereof.
- 6288        For the use of Peter Riley, the son of Menawcumegoqua, a  
6289 Chippewa woman, six hundred and forty acres of land, beginning  
6290 above and adjoining the apple-trees on the west side of the Sagi-  
6291 naw River, and running up the same for quantity.
- 6292        For the use of James Riley, the son of Menawcumegoqua, a  
6293 Chippewa woman, six hundred and forty acres, beginning on the  
6294 east side of the Saginaw River, nearly opposite to Campeau's  
6295 trading-house, and running up the river for quantity.
- 6296        For the use of Kawkawiskou, or the Crow, a Chippewa chief,  
6297 six hundred and forty acres of land, on the east side of the Sagi-  
6298 naw River, at a place called Menitegow, and to include, in the  
6299 said six hundred and forty acres, the island opposite to the said  
6300 place.
- 6301        For the use of Nowokeshik, Metawanene, Mokitchenoqua,  
6302 Nondashemau, Petabonaqua, Messawwakut, Cheebalk, Kitche-  
6303 geequa, Sagosequa, Annoketoqua, and Tawcumegoqua, each, six  
6304 hundred and forty acres of land, to be located at and near the  
6305 grand traverse of the Flint River, in such manner as the Presi-  
6306 dent of the United States may direct.
- 6307        For the use of the children of Bokowtonden, six hundred  
6308 and forty acres, on the Kawkawling River.

6309 ARTICLE 4. In consideration of the cession aforesaid, the  
 6310 United States agree to pay to the Chippewa Nation of Indians,  
 6311 annually, forever, the sum of one thousand dollars in silver;  
 6312 and do also agree that all annuities due by any former treaty to  
 6313 the said tribe shall be hereafter paid in silver.

6314 ARTICLE 5. The stipulation contained in the treaty of  
 6315 Greenville, relative to the right of the Indians to hunt upon  
 6316 the land ceded, while it continues the property of the United  
 6317 States, shall apply to this treaty; and the Indians shall, for the  
 6318 same term, enjoy the privilege of making sugar upon the same  
 6319 land, committing no unnecessary waste upon the trees.

6320 ARTICLE 6. The United States agree to pay to the Indians  
 6321 the value of any improvements which they may be obliged to  
 6322 abandon, in consequence of the lines established by this treaty,  
 6323 and which improvements add real value to the land.

6324 ARTICLE 7. The United States reserve to the proper author-  
 6325 ity the right to make roads through any part of the land re-  
 6326 served by this treaty.

6327 ARTICLE 8. The United States engage to provide and sup-  
 6328 port a blacksmith for the Indians, at Saginaw, so long as the  
 6329 President of the United States may think proper, and to fur-  
 6330 nish the Chippewa Indians with such farming utensils and cat-  
 6331 tle, and to employ such persons to aid them in their agriculture,  
 6332 as the President may deem expedient.

6333 ARTICLE 9. This treaty shall take effect, and be obligatory on  
 6334 the contracting parties, so soon as the same shall be ratified by  
 6335 the President of the United States, by and with the advice and  
 6336 consent of the Senate thereof.

6337 Proclaimed March 25, 1820.

6338 *Articles of a treaty made and concluded at the Sault de Saint Marie,*  
 6339 *in the Territory of Michigan, between the United States, by*  
 6340 *their commissioner, Lewis Cass, and the Chippeway tribe of*  
 6341 *Indians.*

6342 ARTICLE 1. The Chippeway tribe of Indians cede to the  
 6343 United States the following tract of land: beginning at the Big  
 6344 Rock in the river St. Mary's, on the boundary-line between  
 6345 the United States and the British Province of Upper Canada;  
 6346 and, running thence down the said river, with the middle thereof,  
 6347 to the Little Rapid; and, from those points, running back from  
 6348 the said river, so as to include sixteen square miles of land.

6349 ARTICLE 2. The Chippeway tribe of Indians acknowledge  
 6350 to have received a quantity of goods in full satisfaction of the  
 6351 preceding cession.

6352 ARTICLE 3. The United States will secure to the Indians a

6353 perpetual right of fishing at the falls of Saint Mary's, and also  
 6354 a place of encampment upon the tract hereby ceded, convenient  
 6355 to the fishing ground, which place shall not interfere with the  
 6356 defenses of any military work which may be erected, nor with  
 6357 any private rights.

6358 ARTICLE 4. This treaty, after the same shall be ratified by  
 6359 the President of the United States, by and with the advice and  
 6360 consent of the Senate thereof, shall be obligatory on the con-  
 6361 tracting parties.

6362 Proclaimed March 2, 1821.

6363 *Articles of a treaty made and concluded at the Font du Lac of Lake*  
 6364 *Superior, this fifth day of August, in the year of our Lord one*  
 6365 *thousand eight hundred and twenty-six, between Lewis Cass and*  
 6366 *Thomas L. McKenney, commissioners on the part of the United*  
 6367 *States, and the Chippewa tribe of Indians.*

6368 Whereas a treaty was concluded at Prairie du Chien in Au-  
 6369 gust last, by which the war, which has been so long carried on,  
 6370 to their mutual distress, between the Chippewas and Sioux, was  
 6371 happily terminated by the intervention of the United States;  
 6372 and whereas, owing to the remote and dispersed situation of the  
 6373 Chippewas, full deputations of their different bands did not  
 6374 attend at Prairie du Chien, which circumstance, from the loose  
 6375 nature of the Indian government, would render the treaty of  
 6376 doubtful obligation with respect to the bands not represented;  
 6377 and whereas, at the request of the Chippewa chiefs, a stipula-  
 6378 tion was inserted in the treaty of Prairie du Chien, by which  
 6379 the United States agreed to assemble the Chippewa tribe upon  
 6380 Lake Superior during the present year, in order to give full  
 6381 effect to the said treaty, to explain its stipulations, and to call  
 6382 upon the whole Chippewa tribe, assembled at their general  
 6383 council-fire, to give their formal assent thereto, that the peace  
 6384 which has been concluded may be rendered permanent: There-  
 6385 fore—

6386 ARTICLE 1. The chiefs and warriors of the Chippewa tribe  
 6387 of Indians hereby fully assent to the treaty concluded in August  
 6388 last at Prairie du Chien, and engage to observe and fulfil the  
 6389 stipulations thereof.

6390 ARTICLE 2. A deputation shall be sent by the Chippewas  
 6391 to the treaty to be held in 1827, at Green Bay, with full power  
 6392 to arrange and fix the boundary-line between the Chippewas  
 6393 and the Winnebagoes and Menomonees, which was left incom-  
 6394 plete by the treaty of Prairie du Chien, in consequence of the  
 6395 non-attendance of some of the principal Menomonee chiefs.

6396 ARTICLE 3. The Chippewa tribe grant to the Government

6397 of the United States the right to search for, and carry away,  
 6398 any metals or minerals from any part of their country. But  
 6399 this grant is not to affect the title of the land nor the existing  
 6400 jurisdiction over it.

6401 ARTICLE 4. It being deemed important that the half-breeds  
 6402 scattered through this extensive country should be stimulated  
 6403 to exertion and improvement by the possession of permanent  
 6404 property and fixed residences, the Chippewa tribe, in consider-  
 6405 ation of the affection they bear to these persons, and of the  
 6406 interest which they feel in their welfare, grant to each of the  
 6407 persons described in the schedule hereunto annexed, being half-  
 6408 breeds and Chippewas by descent, and it being understood that  
 6409 the schedule includes all of this description who are attached  
 6410 to the Government of the United States, six hundred and forty  
 6411 acres of land, to be located, under the direction of the Presi-  
 6412 dent of the United States, upon the islands and shore of the  
 6413 St. Mary's River, wherever good land enough for this purpose  
 6414 can be found; and as soon as such locations are made, the juris-  
 6415 diction and soil thereof are hereby ceded. It is the intention  
 6416 of the parties that, where circumstances will permit, the grants  
 6417 be surveyed in the ancient French manner, bounding not less  
 6418 than six arpens nor more than ten upon the river, and running  
 6419 back for quantity; and that where this cannot be done, such  
 6420 grants be surveyed in any manner the President may direct.  
 6421 The locations for Oshaugscodaywayqua and her descendants  
 6422 shall be adjoining the lower part of the military reservation,  
 6423 and upon the head of Sugar Island. The persons to whom  
 6424 grants are made shall not have the privilege of conveying the  
 6425 same without the permission of the President.

6426 ARTICLE 5. In consideration of the poverty of the Chippe-  
 6427 was, and of the sterile nature of the country they inhabit, unfit  
 6428 for cultivation, and almost destitute of game, and as a proof of  
 6429 regard on the part of the United States, it is agreed that an  
 6430 annuity of two thousand dollars, in money or goods, as the  
 6431 President may direct, shall be paid to the tribe, at the Sault St.  
 6432 Marie. But this annuity shall continue only during the pleas-  
 6433 ure of the Congress of the United States.

6434 ARTICLE 6. With a view to the improvement of the Indian  
 6435 youths, it is also agreed that an annual sum of one thousand  
 6436 dollars shall be appropriated to the support of an establishment  
 6437 for their education, to be located upon some part of the St.  
 6438 Mary's River, and the money to be expended under the direc-  
 6439 tion of the President; and for the accommodation of such school,  
 6440 a section of land is hereby granted. But the payment of the  
 6441 one thousand dollars stipulated for in this article is subject to  
 6442 the same limitation described in the preceding article.

6443 ARTICLE 7. The necessity for the stipulations in the fourth,  
 6444 fifth, and sixth articles of this treaty could be fully apparent  
 6445 only from personal observation of the condition, prospects, and  
 6446 wishes of the Chippewas, and the commissioners were therefore  
 6447 not specifically instructed upon the subjects therein referred to;  
 6448 but seeing the extreme poverty of these wretched people, find-  
 6449 ing them almost naked and starving, and ascertaining that  
 6450 many perished during the last winter, from hunger and cold,  
 6451 they were induced to insert these articles. But it is expressly  
 6452 understood and agreed that the fourth, fifth, and sixth articles,  
 6453 or either of them, may be rejected by the President and Senate,  
 6454 without affecting the validity of the other articles of the treaty.

6455 ARTICLE 8. The Chippewa tribe of Indians fully acknowl-  
 6456 edge the authority and jurisdiction of the United States, and  
 6457 disclaim all connection with any foreign power, solemnly prom-  
 6458 ising to reject any messages, speeches, or councils, incompatible  
 6459 with the interest of the United States, and to communicate in-  
 6460 formation thereof to the proper agent, should any such be deliv-  
 6461 ered or sent to them.

6462 ARTICLE 9. This treaty, after the same shall be ratified  
 6463 by the President and Senate of the United States, shall be oblig-  
 6464 atory on the contracting parties.

6465 Proclaimed February 27, 1827.

6466 *Supplementary Article.*

6467 As the Chippewas who committed the murder upon four  
 6468 American citizens, in June, 1824, upon the shores of Lake Pepin,  
 6469 are not present at this council, but are far in the interior of the  
 6470 country, so that they cannot be apprehended and delivered to  
 6471 the proper authority before the commencement of the next sum-  
 6472 mer; and as the commissioners have been specially instructed  
 6473 to demand the surrender of these persons, and to state to the  
 6474 Chippewa tribe the consequence of suffering such a flagitious  
 6475 outrage to go unpunished, it is agreed that the persons guilty  
 6476 of the beforementioned murder shall be brought in, either to the  
 6477 Sault St. Marie or Green Bay, as early next summer as practi-  
 6478 cable, and surrendered to the proper authority; and that, in the  
 6479 mean time, all further measures on the part of the United States  
 6480 in relation to this subject shall be suspended.

6481 *Schedule referred to in the preceding treaty.*

6482 To Oshauguscodaywagqua, wife of John Johnston, esq., to  
 6483 each of her children, and to each of her grandchildren, one sec-  
 6484 tion.

- 6485 To Saugemauqua, widow of the late John Baptiste Cadotte,  
 6486 and to her children, Louison, Sophia, Archangel, Edward, and  
 6487 Polly, one section each.
- 6488 To Keneesequa, wife of Samuel Ashman, and to each of her  
 6489 children, one section.
- 6490 To Teegaushau, wife of Charles H. Oakes, and to each of her  
 6491 children, one section.
- 6492 To Thomas Shaw, son of Obimetunoqua, and to his wife  
 6493 Mary, being also of Indian descent, each one section.
- 6494 To Fanny Levake, daughter of Meeshwauqua, and to each  
 6495 of her children, one section.
- 6496 To Obayshaunoquotoqua, wife of Francis Goolay, jr., one  
 6497 section.
- 6498 To Omuckackeence, wife of John Holiday, and to each of  
 6499 her children, one section.
- 6500 To Obimegeezhigoqua, wife of Joseph Due Chene, jr., and  
 6501 to each of her children, one section.
- 6502 To Monedoqua, wife of Charles Cloutier, one section.
- 6503 To Susan Yarns, daughter of Odaubitogeezhigoqua, one  
 6504 section.
- 6505 To Henry Sayer and John Sayer, sons of Obemau unoqua,  
 6506 each one section.
- 6507 To each of the children of John Tanner, being of Chippewa  
 6508 descent, one section.
- 6509 To Wassidjeewunoqua, and to each of her children, by  
 6510 George Johnston, one section.
- 6511 To Michael Cadotte, senior, son of Equawaice, one section.
- 6512 To Equaysayway, wife of Michael Cadotte, senior, and to  
 6513 each of her children living within the United States, one sec-  
 6514 tion.
- 6515 To each of the children of Charlotte Warren, widow of the  
 6516 late Truman A. Warren, one section.
- 6517 To Mary Chapman, daughter of Equameeg, and wife of  
 6518 Bela Chapman, and to each of her children, one section.
- 6519 To Saganoshequa, wife of John H. Fairbanks, and to each  
 6520 of her children, one section.
- 6521 To Shaughunomonee, wife of William Morrison, and to each  
 6522 of her children, one section.
- 6523 To each of the children of the late Ingwaysuh, wife of Jo-  
 6524 seph Coté, one section.
- 6525 To each of the children of Angelique Coté, late wife of  
 6526 Pierre Coté, one section.
- 6527 To Pazhikwutoqua, wife of William Aitken, and to each of  
 6528 her children, one section.
- 6529 To Susan Davenport, grand-daughter of Misquabunoqua,

- 6530 and wife of Ambrose Davenport, and to each of her children,  
6531 one section.
- 6532 To Waubunequa, wife of Augustin Belanger, and to each  
6533 of her children, one section.
- 6534 To Charlotte Louisa Morrison, wife of Allan Morrison, and  
6535 daughter of Manitowidjewung, and to each of her children, one  
6536 section.
- 6537 To each of the children of Eustace Roussain, by Shauwu-  
6538 naubunoqua, Wanwaussumoqua, and Payshaubunoqua, one sec-  
6539 tion.
- 6540 To Isabella Dingley, wife of Daniel Dingley, and daughter  
6541 of Pimegeezhigoqua, and to each of her children, one section.
- 6542 To George Birkhead, being a Chippewa by descent, one  
6543 section.
- 6544 To Susan Conner, wife of Thomas Conner, and daughter of  
6545 Pimegeezhigoqua, and to each of her children, one section.
- 6546 To the children of George Ermatinger, being of Shawnee  
6547 extraction, two sections collectively.
- 6548 To Ossinahjeeunoqua, wife of Michael Cadotte, jr., and to  
6549 each of her children, one section.
- 6550 To Minedemoeyah, wife of Pierre Duvernay, one section.
- 6551 To Ogeemangeezhigoqua, wife of Basil Boileau, one sec-  
6552 tion.
- 6553 To Wauneaussequa, wife of Paul Boileau, one section.
- 6554 To Kaukaubesheshequa, wife of John Baptiste Corbeau, one  
6555 section.
- 6556 To John Baptiste Du Chene, son of Pimegeizhigoqua, one  
6557 section.
- 6558 To each of the children of Ugwudaushee, by the late Tru-  
6559 man A. Warren, one section.
- 6560 To William Warren, son of Lyman M. Warren and Mary  
6561 Cadotte, one section.
- 6562 To Antoine, Joseph, Louis, Chalot, and Margaret Charette,  
6563 children of Equameeg, one section.
- 6564 To the children of Francois Boutcher, by Waussequa, each  
6565 one section.
- 6566 To Angelique Brabent, daughter of Waussegundum, and  
6567 wife of Alexis Brabent, one section.
- 6568 To Odishqua, of Sault St. Marie, a Chippewa of unmixed  
6569 blood, one section.
- 6570 To Pamidjeebung, of Sault St. Marie, a Chippewa of un-  
6571 mixed blood, one section.
- 6572 To Waybossinoqua and John J. Wayishkee, children of  
6573 Wayishkee, each one section.
- 6574  
6575

LEWIS CASS,  
THOS. L. M'KENNEY.

6576 *Articles of a treaty made and concluded at St. Peters (the conflu-*  
 6577 *ence of the St. Peters and Mississippi Rivers) in the Territory*  
 6578 *of Wisconsin, between the United States of America, by their*  
 6579 *commissioner, Henry Dodge, governor of said Territory, and*  
 6580 *the Chippewa Nation of Indians, by their chiefs and head-*  
 6581 *men.*

6582 ARTICLE 1. The said Chippewa Nation cede to the United  
 6583 States all that tract of country included within the following  
 6584 boundaries :

6585 Beginning at the junction of the Crow Wing and Missis-  
 6586 sippi Rivers, between twenty and thirty miles above where the  
 6587 Mississippi is crossed by the forty-sixth parallel of north lati-  
 6588 tude, and running thence to the north point of Lake St. Croix,  
 6589 one of the sources of the St. Croix River; thence to and along  
 6590 the dividing ridge between the waters of Lake Superior and  
 6591 those of the Mississippi, to the sources of the Ocha-sua-sepe, a  
 6592 tributary of the Chippewa River; thence to a point on the  
 6593 Chippewa River, twenty miles below the outlet of Lake De  
 6594 Flambeau; thence to the junction of the Wisconsin and Pelican  
 6595 Rivers; thence on an east course twenty-five miles; thence  
 6596 southerly, on a course parallel with that of the Wisconsin  
 6597 River, to the line dividing the territories of the Chippewas and  
 6598 Menomonies; thence to the Plover Portage; thence along the  
 6599 southern boundary of the Chippewa country, to the commence-  
 6600 ment of the boundary-line dividing it from that of the Sioux,  
 6601 half a day's march below the falls on the Chippewa River;  
 6602 thence with said boundary-line to the mouth of Wah-tap River  
 6603 at its junction with the Mississippi; and thence up the Missis-  
 6604 sippi to the place of beginning.

6605 ARTICLE 2. In consideration of the cession aforesaid, the  
 6606 United States agree to make to the Chippewa Nation, annually,  
 6607 for the term of twenty years, from the date of the ratification of  
 6608 this treaty, the following payments :

- 6609 1. Nine thousand five hundred dollars, to be paid in money.
- 6610 2. Nineteen thousand dollars, to be delivered in goods.
- 6611 3. Three thousand dollars for establishing three blacksmiths  
 6612 shops, supporting the blacksmiths, and furnishing them with  
 6613 iron and steel.
- 6614 4. One thousand dollars for farmers, and for supplying them  
 6615 and the Indians with implements of labor, with grain or seed;  
 6616 and whatever else may be necessary to enable them to carry on  
 6617 their agricultural pursuits.
- 6618 5. Two thousand dollars in provisions.
- 6619 6. Five hundred dollars in tobacco.
- 6620 The provisions and tobacco to be delivered at the same

time with the goods, and the money to be paid; which time or times, as well as the place or places where they are to be delivered, shall be fixed upon under the direction of the President or the United States.

The blacksmiths-shops to be placed at such points in the Chippewa country as shall be designated by the superintendent of Indian affairs, or under his direction.

If, at the expiration of one or more years, the Indians should prefer to receive goods, instead of the nine thousand dollars agreed to be paid to them in money, they shall be at liberty to do so. Or, should they conclude to appropriate a portion of that annuity to the establishment and support of a school or schools among them, this shall be granted them.

ARTICLE 3. The sum of one hundred thousand dollars shall be paid, by the United States, to the half-breeds of the Chippewa Nation, under the direction of the President. It is the wish of the Indians that their two sub-agents, Daniel P. Bushnell and Miles M. Vineyard, superintend the distribution of this money among their half-breed relations.

ARTICLE 4. The sum of seventy thousand dollars shall be applied to the payment, by the United States, of certain claims against the Indians; of which amount twenty-eight thousand dollars shall, at their request, be paid to William A. Aitkin, twenty-five thousand to Lyman M. Warren, and the balance applied to the liquidation of other just demands against them—which they acknowledge to be the case with regard to that presented by Hurcules L. Dousman, for the sum of five thousand dollars; and they request that it be paid.

ARTICLE 5. The privilege of hunting, fishing, and gathering the wild rice upon the lands, the rivers, and the lakes included in the territory ceded, is guaranteed to the Indians during the pleasure of the President of the United States.

ARTICLE 6. This treaty shall be obligatory from and after its ratification by the President and Senate of the United States.

Proclaimed June 15, 1828.

#### CHIPLEWAS, OTTAWAS, AND POTTOWOTOMIES.

*A treaty of peace, friendship, and limits, made and concluded between Ninian Edwards, William Clark, and Auguste Chouteau, commissioners plenipotentiary of the United States of America, on the part and behalf of said States, of the one part, and the chiefs and warriors of the united tribes of Ottawas, Chipewas, and Pottowotomees, residing on the Illinois and Melwakee Rivers, and their waters, and on the southwestern parts of Lake Michigan, of the other part.*

6665       Whereas a serious dispute has for some time past existed  
 6666 between the contracting parties relative to the right to a part  
 6667 of the lands ceded to the United States by the tribes of Sacs  
 6668 and Foxes, on the third day of November, one thousand eight  
 6669 hundred and four, and both parties being desirous of preserving  
 6670 a harmonious and friendly intercourse, and of establishing per-  
 6671 manent peace and friendship, have, for the purpose of removing  
 6672 all difficulties, agreed to the following terms :

6673       ARTICLE 1. The said chiefs and warriors, for themselves  
 6674 and the tribes they represent, agree to relinquish, and hereby  
 6675 do relinquish, to the United States, all their right, claim, and  
 6676 title to all the land contained in the before-mentioned cession  
 6677 of the Sacs and Foxes, which lies south of a due west line from  
 6678 the southern extremity of Lake Michigan to the Mississippi  
 6679 River. And they moreover cede to the United States all the  
 6680 land contained in the following bounds, to wit: beginning on  
 6681 the left bank of the Fox River of Illinois, ten miles above the  
 6682 mouth of said Fox River; thence running so as to cross Sandy  
 6683 Creek, ten miles above its mouth; thence, in a direct line, to a  
 6684 point ten miles north of the west end of the portage between  
 6685 Chicago Creek, which empties into Lake Michigan, and the river  
 6686 Depleine, a fork of the Illinois; thence, in a direct line, to a  
 6687 point on Lake Michigan, ten miles northward of the mouth of  
 6688 Chicago Creek; thence, along the lake, to a point ten miles  
 6689 southward of the mouth of the said Chicago Creek; thence,  
 6690 in a direct line, to a point on the Kankakee, ten miles above its  
 6691 mouth; thence, with the said Kankakee and the Illinois River,  
 6692 to the mouth of Fox River, and thence to the beginning: *Pro-*  
 6693 *vided, nevertheless,* That the said tribes shall be permitted to  
 6694 hunt and to fish within the limits of the land hereby relin-  
 6695 quished and ceded, so long as it may continue to be the property  
 6696 of the United States.

6697       ARTICLE 2. In consideration of the aforesaid relinquishment  
 6698 and cession, the United States have this day delivered to said  
 6699 tribes a considerable quantity of merchandise, and do agree to  
 6700 pay them, annually, for the term of twelve years, goods to the  
 6701 value of one thousand dollars, reckoning that value at the first  
 6702 cost of the goods in the city or place in which they shall be pur-  
 6703 chased, without any charge for transportation; which said  
 6704 goods shall be delivered to the said tribes at some place on the  
 6705 Illinois River, not lower down than Peoria. And the said United  
 6706 States do moreover agree to relinquish to the said tribes all the  
 6707 land contained in the aforesaid cession of the Sacs and Foxes,  
 6708 which lies north of a due west line from the southern extremity  
 6709 of Lake Michigan to the Mississippi River, except three leagues  
 6710 square at the mouth of the Ouisconsing River, including both

6711 banks, and such other tracts, on or near to the Ouisconsin and  
 6712 Mississippi Rivers, as the President of the United States may  
 6713 think proper to reserve: *Provided*, That such other tracts shall  
 6714 not in the whole exceed the quantity that would be contained in  
 6715 five leagues square.

6716 ARTICLE 3. The contracting parties, that peace and friend  
 6717 ship may be permanent, promise that in all things whatever  
 6718 they will act with justice and correctness toward each other,  
 6719 and that they will, with perfect good faith, fulfill all the obliga-  
 6720 tions imposed upon them by former treaties.

6721 Proclaimed December 30, 1836.

6722 *Articles of a treaty made and concluded at Chicago, in the State of*  
 6723 *Illinois, between Lewis Cass and Solomon Sibley, commissioners*  
 6724 *of the United States, and the Ottawa, Chippewa, and Pottawata-*  
 6725 *mie Nations of Indians.*

6726 ARTICLE 1. The Ottawa, Chippewa, and Pottawatamie Na-  
 6727 tions of Indians cede to the United States all the land compre-  
 6728 hended within the following boundaries: Beginning at a point  
 6729 on the south bank of the river St. Joseph of Lake Michigan,  
 6730 near the Parc aux Vaches, due north from Rum's Village, and  
 6731 running thence south to a line drawn due east from the southern  
 6732 extreme of Lake Michigan, thence with the said line east to the  
 6733 tract ceded by the Pottawatamies to the United States by the  
 6734 treaty of Fort Meigs in 1817, if the said line should strike the  
 6735 said tract, but if the said line should pass north of the said tract,  
 6736 then such line shall be continued until it strikes the western  
 6737 boundary of the tract ceded to the United States by the treaty  
 6738 of Detroit in 1807, and from the termination of the said line,  
 6739 following the boundaries of former cessions, to the main branch  
 6740 of the Grand River of Lake Michigan, should any of the said  
 6741 lines cross the said river, but if none of the said lines should cross  
 6742 the said river, then to a point due east of the source of the  
 6743 said main branch of the said river, and from such point due west  
 6744 to the source of the said principal branch, and from the crossing  
 6745 of the said river, or from the source thereof, as the case may be,  
 6746 down the said river, on the north bank thereof, to the mouth;  
 6747 thence following the shore of Lake Michigan to the south bank  
 6748 of the said river St. Joseph, at the mouth thereof, and thence  
 6749 with the said south bank to the place of beginning.

6750 ARTICLE 2. From the cession aforesaid, there shall be re-  
 6751 served, for the use of the Indians, the following tracts:

6752 One tract at Mang-ach qua Village, on the river Peble, of  
 6753 six miles square.

6754 One tract at Mick-ke-saw-be, of six miles square.

6755 One tract at the village of Na-to-wa-se-pe, of four miles  
6756 square.

6757 One tract at the village of Prairie Ronde, of three miles  
6758 square.

6759 One tract at the village of Match-e-be-narh-she-wish, at the  
6760 head of the Kekalamazoo River.

6761 ARTICLE 3. There shall be granted by the United States to  
6762 each of the following persons, being all Indians by descent, and  
6763 to their heirs, the following tracts of land :

6764 To John Burnet, two sections of land.

6765 To James Burnet, Abraham Burnet, Rebecca Burnet, and  
6766 Nancy Burnet, each one section of land; which said John,  
6767 James, Abraham, Rebecca, and Nancy, are children of Kaw-  
6768 kee-me, sister of Top-ni-be, principal chief of the Potawatamie  
6769 Nation.

6770 The land granted to the persons immediately preceding shall  
6771 begin on the north bank of the river St. Joseph, about two  
6772 miles from the mouth, and shall extend up and back from the  
6773 said river for quantity.

6774 To John B. La Lime, son of Noke-no qua, one-half of a sec-  
6775 tion of land, adjoining the tract before granted, and on the upper  
6776 side thereof.

6777 To Jean B. Chandonai, son of Chi-pe-wa qua, two sections  
6778 of land, on the river St. Joseph, above and adjoining the tract  
6779 granted to J. B. La Lime.

6780 To Joseph Dazé, son of Chip-pe-wa-gua, one section of land  
6781 above and adjoining the tract granted to Jean B. Chandonai.

6782 To Monguago, one-half of a section of land, at Mish-she-wa-  
6783 ko-kink.

6784 To Pierre Moran or Peeresh, a Potawatamie chief, one sec-  
6785 tion of land, and to his children two sections of land, at the  
6786 mouth of the Elk-heart River.

6787 To Pierre Le Clerc, son of Moi-quá, one section of land on  
6788 the Elk-heart River, above and adjoining the tract granted to  
6789 Moran and his children.

6790 The section of land granted by the treaty of St. Mary's, in  
6791 1818, to Peeresh or Perig, shall be granted to Jean B. Cicot, son  
6792 of Pe-say-quot, sister of the said Peeresh, it having been so in-  
6793 tended at the execution of the said treaty.

6794 To O-she-ak-ke-be or Benac, one-half of a section of land on  
6795 the north side of the Elk-heart River, where the road from Chi-  
6796 cago to Fort Wayne first crosses the said river.

6797 To Me-naw-che, a Potawatamie woman, one-half of a section  
6798 of land on the eastern bank of the St. Joseph, where the road  
6799 from Detroit to Chicago first crosses the said river.

6800 To Theresa Chandler or To-e-ak-qui, a Potawatamie woman,

6801 and to her daughter Betsey Fisher, one section of land on the  
6802 south side of the Grand River, opposite to the Spruce Swamp.

6803 To Charles Beaubien and Medart Beaubien, sons of Man-na-  
6804 ben-a-quā, each one-half of a section of land near the village of  
6805 Ke-wi-go-shkeem, on the Washtenaw River.

6806 To Antoine Roland, son of I-gat-pat-a-wat-a-mie-quā, one-  
6807 half of a section of land adjoining and below the tract granted  
6808 to Pierre Moran.

6809 To William Knaggs or Was-es-kuk-son, son of Ches-quā,  
6810 one-half of a section of land adjoining and below the tract  
6811 granted to Antoine Roland.

6812 To Madeline Bertrand, wife of Joseph Bertrand, a Potawata-  
6813 mie woman, one section of land at the Parc aux Vaches, on the  
6814 north side of the river St. Joseph.

6815 To Joseph Bertrand, junior, Benjamin Betrand, Laurent  
6816 Betrand, Theresa Bertrand, and Amable Bertrand, children of  
6817 the said Madeline Bertrand, each one-half of a section of land at  
6818 the portage of the Kankakee River.

6819 To John Riley, son of Me-naw-cum-a-go-quoi, one section of  
6820 land, at the mouth of the river Au Foin, on the Grand River,  
6821 and extending up the said river.

6822 To Peter Riley, the son of Me-naw-cum-e-go-quā, one section  
6823 of land, at the mouth of the river Au Foin, on the Grand River,  
6824 and extending down the said river.

6825 To Jean B. Le Clerc, son of Moi-quā, one-half of a section  
6826 of land, above and adjoining the tract granted to Pierre Le  
6827 Clerc.

6828 To Joseph La Framboise, son of Shaw-we-no-quā, one sec-  
6829 tion of land upon the south side of the river St. Joseph, and ad-  
6830 joining on the upper side the land ceded to the United States,  
6831 which said section is also ceded to the United States.

6832 The tracts of land herein stipulated to be granted shall  
6833 never be leased or conveyed by the grantees or their heirs to  
6834 any persons whatever, without the permission of the President  
6835 of the United States. And such tracts shall be located after the  
6836 said cession is surveyed, and in conformity with such surveys as  
6837 near as may be, and in such manner as the President may  
6838 direct.

6839 ARTICLE 4. In consideration of the cession aforesaid, the  
6840 United States engage to pay to the Ottawa nation one thousand  
6841 dollars in specie annually forever, and also to appropriate  
6842 annually, for the term of ten years, the sum of fifteen hundred  
6843 dollars, to be expended as the President may direct, in the sup-  
6844 port of a blacksmith, of a teacher, and of a person to instruct  
6845 the Ottawas in agriculture and in the purchase of cattle and  
6846 farming-utensils. And the United States also engage to pay to

6847 the Potawatamie Nation five thousand dollars in specie, annually,  
 6848 for the term of twenty years, and also to appropriate annually,  
 6849 for the term of fifteen years, the sum of one thousand dollars, to  
 6850 be expended as the President may direct, in the support of a  
 6851 blacksmith and a teacher. And one mile square shall be  
 6852 selected, under the direction of the President, on the north side  
 6853 of the Grand River, and one mile square on the south side of the  
 6854 St. Joseph, and within the Indian lands not ceded, upon which  
 6855 the blacksmiths and teachers employed for the said tribes, re-  
 6856 spectively, shall reside.

6857 ARTICLE 5. The stipulation contained in the treaty of Green-  
 6858 ville, relative to the right of the Indians to hunt upon the land  
 6859 ceded while it continues the property of the United States, shall  
 6860 apply to this treaty.

6861 ARTICLE 6. The United States shall have the privilege of  
 6862 making and using a road through the Indian country, from De  
 6863 troit and Fort Wayne, respectively, to Chicago.

6864 ARTICLE 7. This treaty shall take effect and be obligatory  
 6865 on the contracting parties so soon as the same shall be ratified  
 6866 by the President of the United States, by and with the advice  
 6867 and consent of the Senate thereof.

6868 Proclaimed March 25, 1832.

6869 *Treaty with the Sioux and Chippewas, Sacs and Fox, Menominee*  
 6870 *Ioway, Sioux, Winnebago, and a portion of the Ottawa, Chip-*  
 6871 *pewa, and Potawatamie tribes.*

6872 The United States of America have seen with much regret  
 6873 that wars have for many years been carried on between the  
 6874 Sioux and the Chippewas, and more recently between the con-  
 6875 federated tribes of Sacs and Foxes and the Sioux; and also  
 6876 between the Ioways and Sioux; which, if not terminated, may  
 6877 extend to the other tribes, and involve the Indians upon the  
 6878 Missouri, the Mississippi, and the Lakes, in general hostilities.  
 6879 In order, therefore, to promote peace among these tribes, and to  
 6880 establish boundaries among them and the other tribes who live  
 6881 in their vicinity, and thereby to remove all causes of future dif-  
 6882 ficulty, the United States have invited the Chippewa, Sac, and  
 6883 Fox, Menominee, Ioway, Sioux, Winnebago, and a portion of the  
 6884 Ottawa, Chippewa, and Potawatamie tribes of Indians living  
 6885 upon the Illinois, to assemble together, and in a spirit of mutual  
 6886 conciliation to accomplish these objects; and to aid therein, have  
 6887 appointed William Clark and Lewis Cass, commissioners on their  
 6888 part, who have met the chiefs, warriors, and representatives of  
 6889 the said tribes, and portion of tribes, at Prairie des Chiens, in the  
 6890 Territory of Michican, and after full deliberation, the said tribes,

6891 and portion of tribes, have agreed with the United States, and  
6892 with one another, upon the following articles:

6893 ARTICLE 1. There shall be a firm and perpetual peace  
6894 between the Sioux and Chippewas; between the Sioux and the  
6895 confederated tribes of Sacs and Foxes; and between the Ioways  
6896 and the Sioux.

6897 ARTICLE 2. It is agreed between the confederated tribes of  
6898 the Sacs and Foxes, and the Sioux, that the line between their  
6899 respective countries shall be as follows: Commencing at the  
6900 mouth of the Upper Ioway River, on the west bank of the Mis-  
6901 sissippi, and ascending the said Ioway River, to its left fork;  
6902 thence up that fork to its source; thence crossing the fork of  
6903 Red Cedar River, in a direct line to the second or upper fork of  
6904 the Desmoines River; and thence in a direct line to the lower  
6905 fork of the Calumet River; and down that river to its juncture  
6906 with the Missouri River. But the Yancton band of the Sioux  
6907 tribe, being principally interested in the establishment of the  
6908 line from the forks of the Desmoines to the Missouri, and not  
6909 being sufficiently represented to render the definitive establish-  
6910 ment of that line proper, it is expressly declared that the line  
6911 from the forks of the Desmoines to the forks of the Calumet  
6912 River, and down that river to the Missouri, is not to be con-  
6913 sidered as settled until the assent of the Yancton band shall be  
6914 given thereto. And if the said band should refuse their assent,  
6915 the arrangement of that portion of the boundary-line shall be  
6916 void, and the rights of the parties to the country bounded  
6917 thereby shall be the same as if no provision had been made for  
6918 the extension of the line west of the forks of the Desmoines.  
6919 And the Sacs and Foxes relinquish to the tribes interested  
6920 therein all their claim to land on the east side of the Mississippi  
6921 River.

6922 ARTICLE 3. The Ioways accede to the arrangement between  
6923 the Sacs and Foxes and the Sioux; but it is agreed between the  
6924 Ioways and the confederated tribes of the Sacs and Foxes that  
6925 the Ioways have a just claim to a portion of the country between  
6926 the boundary-line described in the next preceding article and  
6927 the Missouri and Mississippi; and that the said Ioways and  
6928 Sacs and Foxes shall peaceably occupy the same until some  
6929 satisfactory arrangement can be made between them for a division  
6930 of their respective claims to country.

6931 ARTICLE 4. The Ottoes not being represented at this coun-  
6932 cil, and the commissioners for the United States being anxious  
6933 that justice should be done to all parties, and having reason to  
6934 believe that the Ottoes have a just claim to a portion of the  
6935 country upon the Missouri, east and south of the boundary-line  
6936 dividing the Sacs and Foxes and the Ioways from the Sioux, it

6937 is agreed between the parties interested therein, and the United  
 6938 States, that the claim of the Ottoes shall not be affected by any-  
 6939 thing herein contained; but the same shall remain as valid as if  
 6940 this treaty had not been formed.

6941 ARTICLE 5. It is agreed between the Sioux and the Chip-  
 6942 pewas that the line dividing their respective countries shall  
 6943 commence at the Chippewa River, half a day's march below the  
 6944 falls; and from thence it shall run to Red Cedar River, immedi-  
 6945 ately below the falls; from thence to the St. Croix River,  
 6946 which it strikes at a place called the Standing Cedar, about a  
 6947 day's paddle in a canoe above the lake at the mouth of that  
 6948 river; thence passing between two lakes called by the Chippewas  
 6949 "Green Lakes," and by the Sioux "the Lakes they bury the  
 6950 Eagles in," and from thence to the Standing Cedar that "the  
 6951 Sioux Split;" thence to Rum River, crossing it at the mouth of a  
 6952 small creek called Choaking Creek, a long day's march from the  
 6953 Mississippi; thence to a point of woods that projects into the  
 6954 prairie half a day's march from the Mississippi; thence in a  
 6955 straight line to the mouth of the first river which enters the  
 6956 Mississippi on its west side above the mouth of Sac River;  
 6957 thence ascending the said river (above the mouth of Sac River)  
 6958 to a small lake at its source; thence in a direct line to a lake at  
 6959 the head of Prairie River, which is supposed to enter the Crow  
 6960 Wing River on its south side; thence to Otter-Tail Lake Portage;  
 6961 thence to said Otter-Tail Lake, and down through the middle  
 6962 thereof to its outlet; thence in a direct line, so as to strike  
 6963 Buffalo River half way from its source to its mouth, and down  
 6964 the said river to Red River; thence descending Red River to  
 6965 the mouth of Outard or Goose Creek. The eastern boundary of  
 6966 the Sioux commences opposite the mouth of Ioway River, on the  
 6967 Mississippi, runs back two or three miles to the bluffs, follows  
 6968 the bluffs, crossing Bad Axe River to the mouth of Black River,  
 6969 and from Black River to half a day's march below the falls of  
 6970 the Chippewa River.

6971 ARTICLE 6. It is agreed between the Chippewas and Win-  
 6972 nebagoes, so far as they are mutually interested therein, that the  
 6973 southern boundary-line of the Chippewa country shall commence  
 6974 on the Chippewa River aforesaid, half a day's march below the  
 6975 falls of that river, and run thence to the source of Clear Water  
 6976 River, a branch of the Chippewa; thence south to Black River;  
 6977 thence to a point where the woods project into the meadows,  
 6978 and thence to the Plover Portage of the Onisconsin.

6979 ARTICLE 7. It is agreed between the Winnebagoes and the  
 6980 Sioux, Sacs and Foxes, Chippewas and Ottawas, Chippewas and  
 6981 Potawatomes of the Illinois, that the Winnebago country shall  
 6982 be bounded as follows: Southeasterly by Rock River, from its

6983 source near the Winnebago Lake, to the Winnebago village,  
 6984 about forty miles above its mouth; westerly by the east line  
 6985 of the tract, lying upon the Mississippi, herein secured to the  
 6986 Ottawa, Chippewa, and Potawatomie Indians of the Illinois;  
 6987 and also by the high bluff described in the Sioux boundary, and  
 6988 running north to Black River; from this point the Winnebagoes  
 6989 claim up Black River to a point due west from the source of the  
 6990 left fork of the Ouisconsin; thence to the source of the said fork,  
 6991 and down the same to the Ouisconsin; thence down the Ouis-  
 6992 consin to the portage, and across the portage to Fox River;  
 6993 thence down Fox River to the Winnebago Lake, and to the  
 6994 grand Kan Kanlin, including in their claim the whole of  
 6995 Winnebago Lake; but, for the causes stated in the next article,  
 6996 this line from Black River must, for the present, be left inde-  
 6997 terminate.

6998       ARTICLE 8. The representatives of the Menominies not be-  
 6999 ing sufficiently acquainted with their proper boundaries to settle  
 7000 the same definitively, and some uncertainty existing in conse-  
 7001 quence of the cession made by that tribe upon Fox River and  
 7002 Green Bay to the New York Indians, it is agreed between  
 7003 the said Menominie tribe and the Sioux, Chippewas, Winneba-  
 7004 goes, Ottawa, Chippewa, and Potawatomie Indians of the Illi-  
 7005 nois that the claim of the Menominies to any portion of the land  
 7006 within the boundaries allotted to either of the said tribes shall  
 7007 not be barred by any stipulation herein; but the same shall re-  
 7008 main as valid as if this treaty had not been concluded. It is,  
 7009 however, understood that the general claim of the Menominies  
 7010 is bounded on the north by the Chippewa country, on the east  
 7011 by Green Bay and Lake Michigan, extending as far south as  
 7012 Millawaukee River, and on the west they claim to Black River.

7013       ARTICLE 9. The country secured to the Ottawa, Chippewa,  
 7014 and Potawatomie tribes of the Illinois is bounded as follows:  
 7015 Beginning at the Winnebago village, on Rock River, forty miles  
 7016 from its mouth, and running thence down the Rock River to a  
 7017 line which runs from Lake Michigan to the Mississippi, and with  
 7018 that line to the Mississippi, opposite to Rock Island; thence up  
 7019 that river to the United States reservation, at the mouth of the  
 7020 Ouisconsin; thence with the south and east lines of the said  
 7021 reservation to the Ouisconsin; thence southerly, passing the  
 7022 heads of the small streams emptying into the Mississippi, to the  
 7023 Rock River at the Winnebago village. The Illinois Indians  
 7024 have also a just claim to a portion of the country bounded south  
 7025 by the Indian boundary-line aforesaid, running from the southern  
 7026 extreme of Lake Michigan east by Lake Michigan, north by the  
 7027 Menominie country, and northwest by Rock River. This claim  
 7028 is recognized in the treaty concluded with the said Illinois tribes

7029 at St. Louis, August 24, 1816, but as the Millewakee and Ma-  
 7030 netoowalk bands are not represented at this council, it cannot be  
 7031 now definitively adjusted.

7032 ARTICLE 10. All the tribes aforesaid acknowledge the gen-  
 7033 eral controlling power of the United States, and disclaim all de-  
 7034 pendence upon, and connection with, any other power. And the  
 7035 United States agree to, and recognize, the preceding bounda-  
 7036 ries, subject to the limitations and restrictions before provided.  
 7037 It being, however, well understood that the reservations at  
 7038 Fever River, at the Ouisconsin, and St. Peters, and the ancient  
 7039 settlements at Prairie des Chiens and Green Bay, and the land  
 7040 property thereto belonging, and the reservations made upon the  
 7041 Mississippi, for the use of the half-breeds, in the treaty concluded  
 7042 with the Sacs and Foxes August 24, 1824, are not claimed by  
 7043 either of the said tribes.

7044 ARTICLE 11. The United States agree, whenever the Presi-  
 7045 dent may think it necessary and proper, to convene such of the  
 7046 tribes, either separately or together, as are interested in the lines  
 7047 left unsettled herein, and to recommend to them an amicable and  
 7048 final adjustment of their respective claims, so that the work, now  
 7049 happily begun, may be consummated. It is agreed, however,  
 7050 that a council shall be held with the Yancton band of the Sioux,  
 7051 during the year 1826, to explain to them the stipulations of this  
 7052 treaty, and to procure their assent thereto, should they be dis-  
 7053 posed to give it, and also with the Ottoes, to settle and adjust  
 7054 their title to any of the country claimed by the Sacs, Foxes, and  
 7055 Ioways.

7056 ARTICLE 12. The Chippewa tribe being dispersed over a  
 7057 great extent of country, and the chiefs of that tribe having re-  
 7058 quested that such portion of them as may be thought proper,  
 7059 by the Government of the United States, may be assembled in  
 7060 1826, upon some part of Lake Superior, that the objects and ad-  
 7061 vantages of this treaty may be fully explained to them, so that  
 7062 the stipulations thereof may be observed by the warriors, the  
 7063 commissioners of the United States assent thereto, and it is  
 7064 therefore agreed that a council shall accordingly be held for  
 7065 these purposes.

7066 ARTICLE 13. It is understood by all the tribes, parties hereto,  
 7067 that no tribe shall hunt within the acknowledged limits of any  
 7068 other without their assent, but it being the sole object of this  
 7069 arrangement to perpetuate a peace among them, and amicable  
 7070 relations being now restored, the chiefs of all the tribes have ex-  
 7071 pressed a determination cheerfully to allow a reciprocal right of  
 7072 hunting on the lands of one another, permission being first asked  
 7073 and obtained, as before provided for.

7074 ARTICLE 14. Should any causes of difficulty hereafter un-  
 7075 happily arise between any of the tribes, parties hereunto, it is

7076 agreed that the other tribes shall interpose their good offices to  
 7077 remove such difficulties; and also that the Government of the  
 7078 United States may take such measures as they may deem proper  
 7079 to effect the same object.

7080 ARTICLE 15. This treaty shall be obligatory on the tribes,  
 7081 parties hereto, from and after the date hereof, and on the United  
 7082 States, from and after its ratification by the Government thereof.

7083 Proclaimed February 6, 1826.

7084 *Articles of agreement with the Winnebago tribe and the united*  
 7085 *tribes of Potawatamie, Chippewa, and Ottawa Indians.*

7083 The Government of the United States having appointed  
 7087 commissioners to treat with the Sac, Fox, Winnebago, Potawat-  
 7088 amie, Ottawa, and Chippewa tribes of Indians, for the pur-  
 7089 pose of extinguishing their title to land within the State of Illi-  
 7090 nois, and the Territory of Michigan, situated between the Illinois  
 7091 River and the lead-mines on Fever River and in the vicinity of  
 7092 said lead-mines, and for other purposes; and it having been  
 7093 found impracticable, in consequence of the lateness of the period  
 7094 when the instructions were issued, the extent of the country oc-  
 7095 cupied by the Indians, and their dispersed situation, to convene  
 7096 them in sufficient numbers to justify a cession of land on their  
 7097 part; and the chiefs of the Winnebago tribe, and of the united  
 7098 tribes of the Potawatamies, Chippewas, and Ottawas, assembled  
 7099 at Green Bay, having declined at this time to make the desired  
 7100 cession, the following temporary arrangement, subject to the  
 7101 ratification of the President and Senate of the United States,  
 7102 has this day been made between Lewis Cass and Pierre Meen-  
 7103 ard, commissioners of the United States, and the said Winne-  
 7104 bago tribe, and the united tribes of Potawatamie, Chippewa,  
 7105 and Ottawa Indians, in order to remove the difficulties which  
 7106 have arisen in consequence of the occupation, by white persons,  
 7107 of that part of the mining country which has not been heretofore  
 7108 ceded to the United States:

7109 ARTICLE 1. It is agreed that the following shall be the  
 7110 provisional boundary between the lands of the United States  
 7111 and those of the said Indians: The Ouisconsin River, from its  
 7112 mouth to its nearest approach to the Blue Mounds; thence  
 7113 southerly, passing east of the said mounds, to the head of that  
 7114 branch of the Pocatolaka Creek, which runs near the Spotted  
 7115 Arm's village; thence with the said branch to the main forks of  
 7116 Pocatolaka Creek; thence southeasterly to the ridge dividing  
 7117 the Winebago country from that of the Potawatamie, Chippe-  
 7118 wa, and Ottawa tribes; thence southerly with the said ridge, to  
 7119 the line running from Chicago to the Mississippi, near Rock

7120 Island. And it is fully understood that the United States may  
 7121 freely occupy the country between these boundaries and the  
 7122 Mississippi River, until a treaty shall be held with the Indians  
 7123 for its cession; which treaty, it is presumed, will be held in the  
 7124 year 1829. But it is expressly understood and agreed that if  
 7125 any white persons shall cross the line herein described, and pass  
 7126 into the Indian country, for the purpose of mining, or for any  
 7127 other purpose whatever, the Indians shall not interfere with nor  
 7128 molest such persons, but that the proper measures for their re-  
 7129 moval shall be referred to the President of the United States.  
 7130 In the mean time, however, it is agreed that any just compensa-  
 7131 tion to which the Indians may be entitled for any injuries com-  
 7132 mitted by white persons on the Indian side of the said line  
 7133 shall be paid to the said Indians at the time such treaty may be  
 7134 held. It is also agreed by the Indians that a ferry may be  
 7135 established over the Rock River, where the Fort Clark road  
 7136 crosses the same; and, also, a ferry over the same river at the  
 7137 crossing of the Lewiston road.

7138 ARTICLE 2. The United States agree to pay to the Winne-  
 7139 bago, Potawatamie, Chippewa, and Ottawa Indians, the sum of  
 7140 twenty thousand dollars, in goods, at the time and place when  
 7141 and where the said treaty may be held; which said sum shall be  
 7142 equitably divided between the said tribes, and shall be in full  
 7143 compensation for all the injuries and damages sustained by them,  
 7144 in consequence of the occupation of any part of the mining  
 7145 country by white persons, from the commencement of such oc-  
 7146 cupation until the said treaty shall be held. Excepting, how-  
 7147 ever, such compensation as the Indians may be entitled to, for  
 7148 any injuries hereafter committed on their side of the line hereby  
 7149 established.

7150 Proclaimed January 7, 1829.

7151 *Articles of a treaty made and concluded at Prairie du Chien, in*  
 7152 *the Territory of Michigan, between the United States of America,*  
 7153 *by their commissioners, General John McNeil, Colonel Pierre*  
 7154 *Menard, and Caleb Atwater, esq., and the united nations of*  
 7155 *Chippewa, Ottawa, and Potawatamie Indians, of the waters*  
 7156 *of the Illinois, Milwaukee, and Manitowick Rivers.*

7157 ARTICLE 1. The aforesaid nations of Chippewa, Ottawa,  
 7158 and Potawatamie Indians do hereby cede to the United States  
 7159 aforesaid all the lands comprehended within the following limits.  
 7160 to wit: Beginning at the Winnebago Village, on Rock River,  
 7161 forty miles from its mouth, and running thence down the Rock  
 7162 River to a line which runs due west from the most southern  
 7163 bend of Lake Michigan to the Mississippi River, and with

7164 that line to the Mississippi River, opposite to Rock Island;  
 7165 thence up that river to the United States reservation at  
 7166 the mouth of the Ouisconsin; thence with the south and  
 7167 east lines of said reservation to the Ouisconsin River; thence  
 7168 southerly, passing the heads of the small streams emptying into  
 7169 the Mississippi, to the Rock River aforesaid, at the Winnebago  
 7170 Village, the place of beginning. And, also, one other tract of  
 7171 land, described as follows, to wit: Beginning on the western  
 7172 shore of Lake Michigan, at the northeast corner of the field of  
 7173 Antoine Ouitmette, who lives near Gross Pointe, about twelve  
 7174 miles north of Chicago; thence running due west to the Rock  
 7175 River aforesaid; thence down the said river to where a line  
 7176 drawn due west from the most southern bend of Lake Michigan  
 7177 crosses said river; thence east, along said line, to the Fox River  
 7178 of the Illinois; thence along the northwestern boundary-line of  
 7179 the cession of 1816 to Lake Michigan; thence northwardly, along  
 7180 the western shore of said lake, to the place of beginning.

7181 ARTICLE 2. In consideration of the aforesaid cessions of  
 7182 land the United States aforesaid agree to pay to the aforesaid  
 7183 nations of Indians the sum of sixteen thousand dollars, annually,  
 7184 forever, in specie; said sum to be paid at Chicago. And the  
 7185 said United States further agree to cause to be delivered to said  
 7186 nations of Indians, in the month of October next, twelve thou-  
 7187 sand dollars' worth of goods as a present. And it is further  
 7188 agreed to deliver to said Indians at Chicago fifty barrels of salt,  
 7189 annually, forever; and further, the United States agree to make  
 7190 permanent, for the use of the said Indians, the blacksmith's es-  
 7191 tablishment at Chicago.

7192 ARTICLE 3. From the cessions aforesaid, there shall be  
 7193 reserved, for the use of the undernamed chiefs and their bands,  
 7194 the following tracts of land, viz:

7195 For *Wau-pon-eh-see*, five sections of land at the Grand  
 7196 Bois, on Fox River of the Illinois, where *Shaytee's* village now  
 7197 stands.

7198 For *Shab-eh-nay*, two sections at his village near the Paw-  
 7199 paw Grove. For *Awn-kote*, four sections at the village of *Saw-  
 7200 meh-naug*, on the Fox River of the Illinois.

7201 ARTICLE 4. There shall be granted by the United States, to  
 7202 each of the following persons, (being descendants from Indians,)  
 7203 the following tracts of land, viz: To Claude Laframboise, one  
 7204 section of land on the Riviere aux Pleins, adjoining the  
 7205 line of the purchase of 1816. To François Bourbonné, jr.,  
 7206 one section at the Missionary establishment, on the Fox River  
 7207 of the Illinois. To Alexander Robinson, for himself and  
 7208 children, two sections on the Riviere aux Pleins, above and  
 7209 adjoining the tract herein granted to Claude Laframboise.

7210 To Pierre Leclerc, one section at the village of the As-sim-in-  
 7211 eh Kon, or Paw-paw Grove. To Waishkee-Shaw, a Potawat-  
 7212 amie woman, wife of David Laughton, and to her child, one  
 7213 and a half sections at the old village of Nay-ou-Say, at or  
 7214 near the source of the Riviere aux Sables of the Illinois. To  
 7215 Billy Caldwell, two and a half sections on the Chicago River,  
 7216 above and adjoining the line of the purchase of 1816. To  
 7217 Victoire Pothier, one half section on the Chicago River, above  
 7218 and adjoining the tract of land herein granted to Billy Cald-  
 7219 well. To Jane Miranda, one quarter section on the Chicago  
 7220 River, above and adjoining the tract herein granted to Victoire  
 7221 Pothier. To Madeline, a Potawatamie woman, wife of Joseph  
 7222 Ogee, one section west of and adjoining the tract herein granted  
 7223 to Pierre Leclerc, at the Paw-paw Grove. To Archange Ouil-  
 7224 mette, a Potawatamie woman, wife of Antoine Ouilmette, two  
 7225 sections, for herself and her children, on Lake Michigan, south  
 7226 of and adjoining the northern boundary of the cession herein  
 7227 made by the Indians aforesaid to the United States. To Antoine  
 7228 and Francois Leclerc, one section each, lying on the Mississippi  
 7229 River, north of and adjoining the line drawn due west from the  
 7230 most southern bend of Lake Michigan, where said line strikes  
 7231 the Mississippi River. To Mo-ah-way, one quarter section on  
 7232 the north side of and adjoining the tract herein granted to  
 7233 Waish-Kee-Shaw. The tracts of land herein stipulated to be  
 7234 granted shall never be leased or conveyed by the grantees, or  
 7235 their heirs, to any persons whatever, without the permission of  
 7236 the President of the United States.

7237 ARTICLE 5. The United States, at the request of the Indians  
 7238 aforesaid, further agree to pay to the persons named in the sched-  
 7239 ule annexed to this treaty the sum of eleven thousand six hun-  
 7240 dred and one dollars; which sum is in full satisfaction of the  
 7241 claims brought by said persons against said Indians, and by  
 7242 them acknowledged to be justly due.(a)

7243 ARTICLE 6. And it is further agreed that the United  
 7244 States shall, at their own expense, cause to be surveyed the  
 7245 northern boundary-line of the cession herein made, from Lake  
 7246 Michigan to the Rock River, as soon as practicable after the  
 7247 ratification of this treaty, and shall also cause good and suffi-  
 7248 cient marks and mounds to be established on said line.

7249 ARTICLE 7. The right to hunt on the lands herein ceded,  
 7250 so long as the same shall remain the property of the United  
 7251 States, is hereby secured to the nations who are parties to this  
 7252 treaty.

7253 ARTICLE 8. This treaty shall take effect and be obligatory  
 7254 on the contracting parties as soon as the same shall be ratified

- 7255 by the President of the United States, by and with the advice  
 7256 and consent of the Senate thereof.  
 7257 Proclaimed January 2, 1830.
- 7258 *Schedule of claims and debts to be paid by the United States for*  
 7259 *the Chippewa, Ottawa, and Pottawatamie Indians, under the*  
 7260 *fifth article of the treaty of the 29th July, 1829, with said tribes.*
- 7261 To Francis Laframboise, for a canoe-load of merchan-  
 7262 dise taken by the Chippewa and Ottowata Indians  
 7263 of Chab-way-way-gun and the neighboring vil-  
 7264 lages, while frozen up in the lake in the winter of  
 7265 the year 1799, two thousand dollars . . . . . \$2,000 00
- 7266 To Antoine Ouilmett, for depredations committed on  
 7267 him by the Indians at the time of the massacre  
 7268 of Chicago and during the war, eight hundred  
 7269 dollars . . . . . 800 00
- 7270 To the heirs of the late John Kinzie, of Chicago, for  
 7271 depredations committed on him at the time of  
 7272 the massacre of Chicago and at St. Joseph's, dur-  
 7273 ing the winter of 1812, three thousand five hun-  
 7274 dred dollars . . . . . 3,500 00
- 7275 To Margaret Helm, for losses sustained at the time  
 7276 of the capture of Fort Dearborn, in 1812, by the  
 7277 Indians, eight hundred dollars . . . . . 800 00
- 7278 To the American Fur Company, for debts owed to  
 7279 them by the united tribes of Chippewas, Otto-  
 7280 was, and Pottawatamies, three thousand dollars 3,000 00
- 7281 To Bernardus Laughton, for debts owed to him by  
 7282 same tribes, ten hundred and sixteen dollars . . . . 1,016 00
- 7283 To James Kinzie, for debts owed to him by same, four  
 7284 hundred and eighty-five dollars . . . . . 485 00
- 7285 

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- 7286 \$11,601 00
- 7287 *Articles of a treaty made at Chicago, in the State of Illinois, on*  
 7288 *the twenty-sixth day of September, in the year of our Lord one*  
 7289 *thousand eight hundred and thirty-three, between George B.*  
 7290 *Porter, Thomas J. V. Owen, and William Weatherford, com-*  
 7291 *missioners on the part of the United States, of the one part,*  
 7292 *and the United Nation of Chippewa, Ottawa, and Potawata-*  
 7293 *mie Indians, of the other part, being fully represented by the*  
 7294 *chiefs and head-men whose names are hereunto subscribed ;*  
 7295 *which treaty is in the following words, to wit :*
- 7296 ARTICLE 1. The said united nation of Chippewa, Ottawa,  
 7297 and Potawatamie Indians, cede to the United States all their  
 7298 land along the western shore of Lake Michigan, and between

7299 this lake and the land ceded to the United States by the Win-  
 7300 nebago Nation, at the treaty of Fort Armstrong made on the  
 7301 15th September, 1832, bounded on the north by the country  
 7302 lately ceded by the Menominees, and on the south by the coun-  
 7303 try ceded at the treaty of Prairie du Chien made on the 29th  
 7304 July, 1829, supposed to contain about five millions of acres.

7305 ARTICLE 2. In part consideration of the above cession it is  
 7306 hereby agreed that the United States shall grant to the said  
 7307 united nation of Indians, to be held as other Indian lands are  
 7308 held which have lately been assigned to emigrating Indians, a  
 7309 tract of country west of the Mississippi River, to be assigned to  
 7310 them by the President of the United States, to be not less in  
 7311 quantity than five millions of acres, and to be located as follows :  
 7312 Beginning at the mouth of Boyer's River on the east side of the  
 7313 Missouri River, thence down the said river to the mouth of  
 7314 Naudoway River, thence due east to the west line of the State  
 7315 of Missouri, thence along the said State line to the northwest  
 7316 corner of the State, thence east along the said State line to the  
 7317 point where it is intersected by the western boundary-line of the  
 7318 Sacs and Foxes, thence north along the said line of the Sacs  
 7319 and Foxes, so far as that when a straight line shall be run  
 7320 therefrom to the mouth of Boyer's River (the place of beginning)  
 7321 it shall include five millions of acres. And as it is the wish of  
 7322 the Government of the United States that the said nation of  
 7323 Indians should remove to the country thus assigned to them as  
 7324 soon as conveniently can be done, and it is deemed advisable  
 7325 on the part of their chiefs and head-men that a deputation  
 7326 should visit the said country west of the Mississippi and thus  
 7327 be assured that full justice has been done, it is hereby stipu-  
 7328 lated that the United States will defray the expenses of such  
 7329 deputation, to consist of not more than fifty persons, to be ac-  
 7330 companied by not more than five individuals to be nominated  
 7331 by themselves, and the whole to be under the general direction  
 7332 of such officer of the United States Government as has been or  
 7333 shall be designated for the purpose. And it is further agreed  
 7334 that as fast as the said Indians shall be prepared to emigrate,  
 7335 they shall be removed at the expense of the United States, and  
 7336 shall receive subsistence while upon the journey, and for one  
 7337 year after their arrival at their new homes. It being under-  
 7338 stood that the said Indians are to remove from all that part of  
 7339 the land now ceded, which is within the State of Illinois, imme-  
 7340 diately on the ratification of this treaty, but to be permitted to  
 7341 retain possession of the country north of the boundary-line of  
 7342 the said State, for the term of three years, without molestation  
 7343 or interruption, and under the protection of the laws of the  
 7344 United States.

7345 ARTICLE 3. And in further consideration of the above ces-  
 7346 sion, it is agreed that there shall be paid by the United States  
 7347 the sums of money hereinafter mentioned, to wit :

7348 One hundred thousand dollars to satisfy sundry individuals,  
 7349 in behalf of whom reservations were asked, which the commis-  
 7350 sioners refused to grant; and also to indemnify the Chippewa  
 7351 tribe who are parties to this treaty for certain lands along the  
 7352 shore of Lake Michigan, to which they make claim, which have  
 7353 been ceded to the United States by the Menominee Indians;  
 7354 the manner in which the same is to be paid is set forth in sched-  
 7355 ule "A" hereunto annexed.

7356 One hundred and fifty thousand dollars to satisfy the claims  
 7357 made against the said united nation, which they have here ad-  
 7358 mitted to be justly due, and directed to be paid, according to  
 7359 schedule "B" hereunto annexed.

7360 One hundred thousand dollars to be paid in goods and pro-  
 7361 visions, a part to be delivered on the signing of this treaty and  
 7362 the residue during the ensuing year.

7363 Two hundred and eighty thousand dollars to be paid in  
 7364 annuities of fourteen thousand dollars a year, for twenty years.

7365 One hundred and fifty thousand dollars to be applied to the  
 7366 erection of mills, farm-houses, Indian houses, and blacksmith  
 7367 shops, to agricultural improvements, to the purchase of agricul-  
 7368 tural implements and stock, and for the support of such physi-  
 7369 cians, millers, farmers, blacksmiths, and other mechanics, as the  
 7370 President of the United States shall think proper to appoint.

7371 Seventy thousand dollars for purposes of education and the  
 7372 encouragement of the domestic arts, to be applied in such man-  
 7373 ner as the President of the United States may direct. [The  
 7374 wish of the Indians being expressed to the commissioners as fol-  
 7375 lows: The united nation of Chippewa, Ottawa, and Potawatamie  
 7376 Indians being desirous to create a perpetual fund for the pur-  
 7377 poses of education and the encouragement of the domestic arts,  
 7378 wish to invest the sum of seventy thousand dollars in some safe  
 7379 stock, the interest of which only is to be applied as may be  
 7380 necessary for the above purposes. They therefore request the  
 7381 President of the United States to make such investment for the  
 7382 nation as he may think best. If, however, at any time hereafter,  
 7383 the said nation shall have made such advancement in civiliza-  
 7384 tion, and have become so enlightened as in the opinion of the  
 7385 President and Senate of the United States they shall be capable  
 7386 of managing so large a fund with safety, they may withdraw the  
 7387 whole or any part of it.]

7388 Four hundred dollars a year to be paid to Billy Caldwell,  
 7389 and three hundred dollars a year to be paid to Alexander Rob-  
 7390 inson, for life, in addition to the annuities already granted them;

7391 two hundred dollars a year to be paid to Joseph Lafromboise,  
 7392 and two hundred dollars a year to be paid to Shabehany, for  
 7393 life.

7394 Two thousand dollars to be paid to Wau-pon-eh-see and his  
 7395 band, and fifteen hundred dollars to Awn-kote and his band, as  
 7396 the consideration for nine sections of land, granted to them by  
 7397 the 3d article of the treaty of Prairie du Chien, of the 29th of  
 7398 July, 1829, which are hereby assigned and surrendered to the  
 7399 United States.

7400 ARTICLE 4. A just proportion of the annuity money, secured  
 7401 as well by former treaties as the present, shall be paid west of  
 7402 the Mississippi to such portion of the nation as shall have re-  
 7403 moved thither during the ensuing three years. After which  
 7404 time, the whole amount of the annuities shall be paid at their  
 7405 location west of the Mississippi.

7406 ARTICLE 5. Stricken out.

7407 This treaty, after the same shall have been ratified by the  
 7408 President and Senate of the United States, shall be binding on  
 7409 the contracting parties.

7410 SCHEDULE "A."—(Referred to in the treaty, containing the  
 7411 sums payable to individuals in lieu of reservations.)

7412	Jesse Walker.....	\$1,500 00
7413	Henry Cleveland.....	800 00
7414	Rachel Hall.....	600 00
7415	Sylvia Hall.....	600 00
7416	Joseph Laframboise and children.....	1,000 00
7417	Victoire Porthier and her children.....	700 00
7418	Jean Bt. Miranda, {	300 00
7419	Jane Miranda, { For each of whom John {	200 00
7420	Rosetta Miranda, { H. Kinzie is trustee {	300 00
7421	Thomas Miranda, {	400 00
7422	Alexander Muller, Gholson Kercheval, trustee.....	800 00
7423	Paschal Muller, do. do. ....	800 00
7424	Margaret Muller.....	200 00
7425	Socra Muller.....	200 00
7426	Angelique Chevalier.....	200 00
7427	Josette Chevallier.....	200 00
7428	Joseph Chevalier.....	400 00
7429	Fanny Leclare, (Captain David Hunter, trustee)....	400 00
7430	Daniel Bourassa's children.....	600 00
7431	Nancy Contraman, {	600 00
7432	Sally Contraman, { For each of whom J. B. {	
7433	Betsey Contraman, { Campbell is trustee. {	
7434	Alexis Laframboise.....	800 00
7435	Alexis Laframbois' children.....	1,200 00
7436	Mrs. Mann's children.....	600 00

7437	Mrs. Mann (daughter of Antoine Ouilmet).....	\$400 00
7438	Geo. Turkey's children, (Fourtier,) Th. J. V. Owen,	
7439	trustee .....	500 00
7440	Jacques Chapeau's children do. do.....	600 00
7441	Antonie Roseum's children.....	750 00
7442	Francois Bourbonnais', sen'r's, children.....	400 00
7443	Francis Bourbonnais', j'n'r, children.....	300 00
7444	John Bt. Cloutier's children, (Robert A. Kinsie trustee).	600 00
7445	Claude Lafromboise's children.....	300 00
7446	Antoine Ouilmet's children.....	200 00
7447	Josette Ouilmot (John H. Kinzie, trustee) .....	200 00
7448	Mrs. Welsh (daughter of Antoine Ouilmet).....	200 00
7449	Alexander Robinson's children .....	400 00
7450	Billy Caldwell's children.....	600 00
7451	Mo-ah-way .....	200 00
7452	Medare B. Beaubien.....	300 00
7453	Charles H. Beaubien .....	300 00
7454	John K. Clark's Indian children, (Richard J. Hamil-	
7455	ton, trustee).....	400 00
7456	Josette Juno and her children.....	1,000 00
7457	Angelique Juno.....	300 00
7458	Josette Beaubin's children.....	1,000 00
7459	Mah-go-que's child, (James Kinzie, trustee) .....	300 00
7460	Esther, Rosene, and Eleanor Bailly .....	500 00
7461	Sophia, Hortense, and Therese Bailly.....	1,000 00
7462	Rosa and Mary, children of Hoo-mo-ni-gah, wife of	
7463	Stephen Mack .....	600 00
7464	Jean Bt. Rabbu's children .....	400 00
7465	Francis Chevallier's children.....	800 00
7466	Mrs. Nancy Jamison and child .....	800 00
7467	Co-pah, son of Archange.....	250 00
7468	Martha Burnett, (R. A. Forsyth, trustee) .....	1,000 00
7469	Isadore Chabert's child, (G. S. Hubbard trustee)....	400 00
7470	Chee-bee-quai, or Mrs. Allen .....	500 00
7471	Luther Rice and children .....	2,500 00
7472	John Jones.....	1,000 00
7473	Pierre Corbonno's children.....	800 00
7474	Pierre Chalipeaux's children .....	1,000 00
7475	Phœbe Treat and children.....	1,000 00
7476	Robert Forsyth, of St. Louis, Mo. ....	500 00
7477	Alexander Robinson { each reduced to \$5,000, and }	10,000 00
7478	{ the sum of \$10,000 thus de- }	
7479	Billy Caldwell .... { ducted paid to the Indians. }	10,000 00
7480	Joseph Laframboise.....	3,000 00
7481	Nis noan see, (B. B. Kercheval, trustee).....	200 00
7482	Margaret Hall.....	1,000 00

7483	James, William, David, and Sarah, children of	
7484	Margaret Hall .....	\$3,200 00
7485	Margaret Ellen Miller, Mont- { for each of whom }	
7486	gomery Miller, and Finly { Richard J. Hamil- }	
7487	Miller, grandchildren of { ton, of Chicago, is }	800 00
7488	Margaret Hall. { trustee. }	
7489	Jean Letendre's children .....	200 00
7490	Bernard Grignon .....	100 00
7491	Josette Polier .....	100 00
7492	Joseph Vieux, Jacques Vieux, Louis Vieux, and }	
7493	Josette Vieux, each \$100. }	400 00
7494	Angelique Hardwick's children .....	1,800 00
7495	Joseph Bourassa and Mark Bourassa .....	200 00
7496	Jude Bourassa and Therese Bourassa .....	200 00
7497	Stephen Bourassa and Gabriel Bourassa .....	200 00
7498	Alexander Bourassa and James Bourassa .....	200 00
7499	Elai Bourassa and Jerome Bourassa .....	200 00
7500	M. D. Bourassa .....	100 00
7501	Ann Rice and her son William M. Rice, and nephew,	
7502	John Leib .....	1,000 00
7503	Agate Biddle and her children .....	900 00
7504	Magdaline Laframboise and her son .....	400 00
7505	Therese Schandler .....	200 00
7506	Joseph Dailly's son and daughter, Robert and	
7507	Therese .....	500 00
7508	Therese Lawe and George Lawe .....	200 00
7509	David Lawe and Rachel Lawe .....	200 00
7510	Rebecca Lawe and Maria Lawe .....	200 00
7511	Polly Lawe and Jane Lawe .....	200 00
7512	Appotone Lawe .....	100 00
7513	Angelique Vieux and Amable Vieux .....	200 00
7514	Andre Vieux and Nicholas Vieux .....	200 00
7515	Pierre Vieux and Maria Vieux .....	200 00
7516	Madaline Thibeault .....	100 00
7517	Paul Vieux and Joseph Vieux .....	200 00
7518	Susanne Vieux .....	100 00
7519	Louis Grignon and his son Paul .....	200 00
7520	Paul Grignon, sen'r, and Annable Grignon .....	200 00
7521	Perish and Robert Grignon .....	200 00
7522	Catis Grignon and Elizabeth Grignon .....	200 00
7523	Ursul Grignon and Charlotte Grignon .....	200 00
7524	Louise Grignon and Rachel Grignon .....	200 00
7525	Agate Porlier and George Grignon .....	200 00
7526	Amable Grignon and Emily Grignon .....	200 00
7527	Therese Grignon and Simon Grignon .....	200 00
7528	William Burnett (B. B. Kercheval, trustee) .....	1,000 00

7529	Shan-na-nees.....	\$400 00
7530	Josette Beaubien.....	500 00
7531	For the Chippewa, Ottawa, and Potawatomie stu-	} 5,000 00
7532	dents at the Choctaw Academy, the Hon. R.	
7533	M. Johnson to be the trustee.	
7534	James and Richard J. Connor.....	700 00
7535	Pierre Duverney and children.....	300 00
7536	Joshua Boyd's children, (Geo. Boyd, esq., to be the	} 500 00
7537	trustee).....	
7538	Joseph Bailly.....	4,000 00
7539	R. A. Forsyth.....	3,000 00
7540	Gabriel Godfroy.....	2,420 00
7541	Thomas R. Covill.....	1,300 00
7542	George Hunt.....	750 00
7543	James Kinzie.....	5,000 00
7544	Joseph Chaunier.....	550 00
7545	John and Mark Noble.....	180 00
7546	Alexis Provansalle.....	100 00
7547		
7548	One hundred thousand dollars.....	\$100,000 00
7549	SCHEDULE "B."—(Referred to in the treaty containing the	
7550	sums payable to individuals, on claims admitted to be justly	
7551	due, and directed to be paid.)	
7552	Brewster Hogan & Co.....	\$343 00
7553	John S. C. Hogan.....	50 00
7554	Frederick H. Contraman.....	200 00
7555	Brookfield & Bertrand.....	100 00
7556	R. E. Heacock.....	100 00
7557	George W. McClure, U. S. A.....	125 00
7558	David McKee.....	180 00
7559	Oliver Emmell.....	300 00
7560	George Hollenbeck.....	100 00
7561	Martha Gray.....	78 00
7562	Charles Taylor.....	187 00
7563	Joseph Naper.....	71 00
7564	John Mann.....	200 00
7565	James Walker.....	200 00
7566	John Blackstone.....	100 00
7567	Harris & McCord.....	175 00
7568	George W. Dole.....	133 00
7569	George Haverhill.....	60 00
7570	William Whistler, U. S. A.....	1,000 00
7571	Squire Thompson.....	100 00
7572	C. C. Trowbridge.....	2,000 00
7573	Louis Druillard.....	350 00
7574	Abraham Francis.....	25 00

7575	D. R. Bearss & Co.....	\$250 00
7576	Dr. E. Winslow.....	150 00
7577	Nicholas Klinger.....	77 00
7578	Joseph Porthier.....	200 00
7579	Clark Hollenbeck.....	50 00
7580	Henry Enslen.....	75 00
7581	Robert A. Kinzie.....	1, 216 00
7582	Joseph Ogie.....	200 00
7583	Thomas Hartzell.....	400 00
7584	Calvin Britain... ..	46 00
7585	Benjamin Fry.....	400 00
7586	Pierre F. Navarre.....	100 00
7587	C. H. Chapman.....	30 00
7588	James Kinzie.....	300 00
7589	G. S. Hubbard.....	125 00
7590	Jacque Jenveaux.....	150 00
7591	John B. Du Charme.....	55 00
7592	John Wright.....	15 00
7593	James Galloway.....	200 00
7594	William Marquis.....	150 00
7595	Louis Chevalier, adm'r of J. B. Chevalier, dec'd..	112 00
7596	Solomon McCullough.....	100 00
7597	Joseph Curtis.....	50 00
7598	Edward E. Hunter.....	90 00
7599	Rachel Legg.....	25 00
7600	Peter Lamseet.....	100 00
7601	Robert Beresford.....	200 00
7602	G. W. & W. Laird.....	150 00
7603	M. B. Beaubien.....	440 00
7604	Jeduthan Smith.....	60 00
7605	Edmund Weed.....	100 00
7606	Philip Maxwell, U. S. A.....	35 00
7607	Henry Gratiot.....	116 00
7608	Tyler K. Blodgett.....	50 00
7609	Nehemiah King.....	125 00
7610	S. P. Brady.....	188 00
7611	James Harrington.....	68 00
7612	Samuel Ellice.....	50 00
7613	Peter Menard, Maumee.....	500 00
7614	John W. Anderson.....	350 00
7615	David Bailey.....	50 00
7616	Wm. G. Knaggs.....	100 00
7617	John Hively.....	150 00
7618	John B. Bertrand, sen'r.....	50 00
7619	Robert A. Forsyth.....	3, 000 00
7620	Maria Kercheval.....	3, 000 00

7621	Alice Hunt.....	\$3,000 00
7622	Jane C. Forsyth.....	3,000 00
7623	John H. Kinzie.....	5,000 00
7624	Ellen M. Wolcott.....	5,000 00
7625	Maria Hunter.....	5,000 00
7626	Kobert A. Kinzie.....	5,000 00
7627	Samuel Godfroy.....	120 00
7628	John E. Schwarz.....	4,800 00
7629	Joseph Loranger.....	5,000 00
7630	H. B. and G. W. Hoffman.....	358 00
7631	Phelps & Wendell.....	660 00
7632	Henry Johns.....	270 00
7633	Benjamin C. Hoyt.....	20 00
7634	John H. Kinzie, in trust for the heirs of Jos. Mi-	
7635	randa, dec'd.....	250 00
7636	Francis Bourbonnais, sen'r.....	500 00
7637	Francis Bourbonnais, jun'r.....	200 00
7638	R. A. Forsyth, in trust for Catherine McKenzie...	1,000 00
7639	James Laird.....	50 00
7640	Montgomery Evans.....	250 00
7641	Joseph Bertrand, jr.....	300 00
7642	George Hunt.....	900 00
7643	Benjamin Sherman.....	150 00
7644	W. and F. Brewster, assignees of Joseph Bertrand,	
7645	sen'r.....	700 00
7646	John Forsyth, in trust for the heirs of Charles	
7647	Peltier, dec'd.....	900 00
7648	William Hazard.....	30 00
7649	James Shirley.....	125 00
7650	Jacob Platter.....	25 00
7651	John B. Bourie.....	2,500 00
7652	B. B. Kercheval.....	1,500 00
7653	Charles Lucier.....	75 00
7654	Mark Beaubien.....	500 00
7655	Catharine Stewart.....	82 00
7656	Francis Mouton.....	200 00
7657	Dr. William Brown.....	40 00
7658	R. A. Forsyth, in trust for heirs of Charles Guion.	200 00
7659	Joseph Betrand, sen'r.....	652 00
7660	Moses Rice.....	800 00
7661	James Connor.....	2,250 00
7662	John B. Du Charme.....	250 00
7663	Coquillard & Comparet.....	5,000 00
7664	Richard J. Hamilton.....	500 00
7665	Adolphus Chapin.....	80 00
7666	John Dixon.....	140 00

7667	Wm. Huff.....	\$81 00
7668	Stephen Mack, in trust for the heirs of Stephen	
7669	Mack, deceased.....	500 00
7670	Thomas Forsyth.....	1,500 00
7671	Felix Fontaine.....	200, 00
7672	Jacque Mete.....	200 00
7673	Francis Boucher.....	250 00
7674	Margaret Helm.....	2,000 00
7675	O. P. Lacy.....	1,000 00
7676	Henry and Richard J. Connor.....	1,500 00
7677	James W. Craig.....	50 00
7678	R. A. Forsyth, (Maumee).....	1,300 00
7679	Antoine Peltier do.....	200 00
7680	R. A. Forsyth, in trust for Wau-se-on-o-quet.....	300 00
7681	John E. Hunt.....	1,450 00
7682	Payne C. Parker.....	70 00
7683	Isaac Hull.....	1,000 00
7684	Foreman Evans.....	32 00
7685	Horatio N. Curtis.....	300 00
7686	Ica Rice.....	250 00
7687	Thomas P. Quick.....	35 00
7688	George B. Woodcox.....	60 00
7689	John Woodcox.....	40 00
7690	George B. Knaggs.....	1,400 00
7691	Ebenezer Read.....	100 00
7692	George Pomeroy.....	150 00
7693	Thomas K. Green.....	70 00
7694	William Mieure, in trust for Willis Fellows.....	500 00
7695	Z. Cicott.....	1,800 00
7696	John Johnson.....	100 00
7697	Antoine Antilla.....	100 00
7698	John Baldwin.....	500 00
7699	Isaac G. Bailey.....	100 00
7700	James Cowen.....	35 00
7701	Joseph D. Lane.....	50 00
7702	T. E. Phelps.....	250 00
7703	Edmund Roberts.....	50 00
7704	Augustus Bona.....	60 00
7705	E. C. Winter & Co.....	1,850 00
7706	Charles W. Ewing.....	200 00
7707	Antoine Ouilmett.....	800 00
7708	John Bt. Chandonai, (\$1,000 of this sum to be paid	
7709	to Robert Stuart, agent of American Fur Com-	
7710	pany, by the particular request of Jno. B. Chan-	
7711	donaï).....	2,500 00
7712	Lowrin Marsh.....	3,290 00

7713	P. & J. J. Godfroy .....	\$2,000 00
7714	David Hull .....	500 00
7715	Andrew Drouillard .....	500 00
7716	Jacob Beeson & Co .....	220 00
7717	Jacob Beeson .....	900 00
7718	John Anderson .....	600 00
7719	John Green .....	100 00
7720	James B. Campbell .....	600 00
7721	Pierre Menard, jun., in right of G. W. Campbell ..	250 00
7722	George E. Walker .....	1,000 00
7723	Joseph Thebault .....	50 00
7724	Gideon Lowe, U. S. A. ....	160 00
7725	Pierre Menard, jun. ....	2,000 00
7726	John Tharp .....	45 00
7727	Pierre Menard, jr., in trust for Marie Tremblé ....	500 00
7728	Henry B. Stillman .....	300 00
7729	John Hamblin .....	500 00
7730	Francois Pagé .....	100 00
7731	George Brooks .....	20 00
7732	Franklin McMillan .....	100 00
7733	Lorance Shellhouse .....	30 00
7734	Martin G. Shellhouse .....	35 00
7735	Peter Bellair .....	150 00
7736	Joseph Morass .....	200 00
7737	John I. Wendell .....	2,000 00
7738	A. T. Hatch .....	300 00
7739	Stephen Downing .....	100 00
7740	Samuel Miller .....	100 00
7741	Moses Hardwick .....	75 00
7742	Margaret May .....	400 00
7743	Frances Felix .....	1,100 00
7744	John B. Bourie .....	500 00
7745	Harriet Ewing .....	500 00
7746	Nancy Hedges .....	500 00
7747	David Bourie .....	500 00
7748	Caroline Ferry .....	500 00
7749	Bowrie & Minie .....	500 00
7750	Charles Minie .....	600 00
7751	Francis Minie .....	700 00
7752	David Bourie .....	150 00
7753	Henry Ossum Reed .....	200 00
7754	Françoise Bezion .....	2,500 00
7755	Dominique Rousseau .....	500 00
7756	Hanna & Taylor .....	1,570 00
7757	John P. Hedges .....	1,000 00
7758	Francois Chobare .....	1,000 00

7759	Isadore Chobare .....	\$600 00
7760	Jacob Leephart.....	700 00
7761	Amos Amsden.....	400 00
7762	Nicholas Boilvin.....	350 00
7763	Archibald Clyburn.....	200 00
7764	William Conner, (Michigan).....	70 00
7765	Tunis S. Wendall .....	500 00
7766	Noel Vasseur .....	800 00
7767	James Abbott, agent of the American Fur Com-	
7768	pany.....	2,300 00
7769	Robert Stewart, agent of the American Fur Com-	
7770	pany.....	17,000 00
7771	Solomon Jeaneau .....	2,100.00
7772	John Bt. Beaubin.....	250 00
7773	Stephen Mack, jr.....	350 00
7774	John Lawe.....	3,000 00
7775	Alexis Larose.....	1,000 00
7776	Daniel Whitney.....	1,350 00
7777	P. & A. Grignon.....	650 00
7778	Louis Grignon.....	2,000 00
7779	Jacques Vieux.....	2,000 00
7780	Laframboise & Bourassa.....	1,300 00
7781	Heirs of N. Bolvin, deceased.....	1,000 00
7782	John K. Clark.....	400 00
7783	William G. & G. W. Ewing.....	5,000 00
7784	Rufus Hitchcock.....	400 00
7785	Reed and Coons.....	200 00
7786	B. H. Laughton.....	1,000 00
7787	Rufus Downing.....	500 00
7788	Charles Reed .....	200 00

7789 \$175,000 00  
 7790     One hundred and seventy-five thousand dollars. \$175,000 00

7791     The above claims have been admitted and directed to be  
 7792 paid only in case they be accepted in full of all claims and  
 7793 demands up to the present date.

7794 G. B. PORTER,

7795 TH. J. V. OWEN.

7796 WILLIAM WEATHERFORD.

7797     All the debts mentioned in the above Schedule B, and which  
 7798 were specified in Exhibit E to the report of the committee, to be  
 7799 examined by a commissioner to be appointed by the President.  
 7800 by and with the advice and consent of the Senate, and the indi-  
 7801 viduals to be paid only the sums found by said commissioner  
 7802 to be justly due, in no instance increasing the sum agreed to be  
 7803 paid; and whatever sum is saved by deduction or disallowance

7804 of the debts in Exhibit E to be paid to the Indians, and the  
7805 residue to the claimants respectively.

7806 Agreeably to the stipulations contained in the 3d article  
7807 of the treaty, there have been purchased and delivered, at the  
7808 request of the Indians, goods, provisions, and horses, to the  
7809 amount of sixty-five thousand dollars, (leaving the balance to  
7810 be supplied in the year one thousand eight hundred and thirty-  
7811 four, thirty-five thousand dollars.)

7812 *Articles supplementary to the treaty made at Chicago, in the State*  
7813 *of Illinois, on the 26th day of September, one thousand eight*  
7814 *hundred and thirty-three, between George B. Porter, Thomas*  
7815 *J. V. Owen, and William Weatherford, commissioners on the*  
7816 *part of the United States, of the one part, and the United*  
7817 *Nation of Chippewa, Ottawa, and Potawatamie Indians, of the*  
7818 *other part, concluded at the same place on the twenty-seventh*  
7819 *day of September, one thousand eight hundred and thirty-three,*  
7820 *between the said commissioners on the part of the United*  
7821 *States, of the one part, and the chiefs and head-men of the said*  
7822 *United Nation of Indians, residing upon the reservations of*  
7823 *land situated in the Territory of Michigan, south of Grand*  
7824 *River, of the other part.*

7825 ARTICLE 1. The said chiefs and head-men cede to the United  
7826 States all their land situate in the Territory of Michigan south  
7827 of Grand River, being the reservation at Notawasepe of four  
7828 miles square contained in the 3d clause of the 2d article of  
7829 the treaty made at Chicago on the 29th day of August, 1821,  
7830 and the ninety-nine sections of land contained in the treaty made  
7831 at St. Joseph on the 19th day of September, 1827; and also the  
7832 tract of land on St. Joseph River opposite the town of Niles,  
7833 and extending to the line of the State of Indiana, on which the  
7834 villages of To-pe-ne-bee and Pokagon are situated, supposed to  
7835 contain about forty-nine sections.

7836 ARTICLE 2. In consideration of the above cession, it is  
7837 hereby agreed that the said chiefs and head-men, and their  
7838 immediate tribes, shall be considered as parties to the said  
7839 treaty to which this is supplementary, and be entitled to partici-  
7840 pate in all the provisions therein contained, as a part of the  
7841 United Nation; and further, that there shall be paid by the  
7842 United States the sum of one hundred thousand dollars, to be  
7843 applied as follows:

7844 Ten thousand dollars in addition to the general fund of one  
7845 hundred thousand dollars, contained in the said treaty, to satisfy  
7846 sundry individuals in behalf of whom reservations were asked  
7847 which the commissioners refused to grant; the manner in which

7848 the same is to be paid being set forth in the schedule "A," here  
7849 unto annexed.

7850 Twenty-five thousand dollars in addition to the sum of one  
7851 hundred and fifty thousand dollars contained in the said treaty,  
7852 to satisfy the claims made against all composing the United  
7853 Nation of Indians, which they have admitted to be justly due,  
7854 and directed to be paid according to Schedule "B," to the treaty  
7855 annexed.

7856 Twenty-five thousand dollars, to be paid in goods, provisions,  
7857 and horses, in addition to the one hundred thousand dollars con-  
7858 tained in the treaty.

7859 And forty thousand dollars to be paid in annuities of two  
7860 thousand dollars a year for twenty years, in addition to the two  
7861 hundred and eighty thousand dollars inserted in the treaty, and  
7862 divided into payments of fourteen thousand dollars a year.

7863 ARTICLE 3. All the Indians residing on the said reservations  
7864 in Michigan shall remove therefrom within three years from this  
7865 date, during which time they shall not be disturbed in their  
7866 possession, nor in hunting upon the lands as heretofore. In the  
7867 mean time no interruption shall be offered to the survey and sale  
7868 of the same by the United States. In case, however, the said  
7869 Indians shall sooner remove, the Government may take immedi-  
7870 ate possession thereof.

7871 ARTICLE 4. Stricken out.

7872 And provided that the lands given to the said Indians, in  
7873 exchange, in place of being bounded in the manner described in  
7874 the treaty, be so changed that the first line shall begin at the  
7875 mouth of Boyer's River, and run down the River Missouri to a  
7876 point thereon from which a line running due east will strike the  
7877 northwestern corner of the State of Missouri; from that point  
7878 due east till it strikes said northwest corner; then along the  
7879 northern boundary-line of said State, till it strikes the line of the  
7880 lands belonging to the Fox and Sac Indians; thence northwardly,  
7881 so far as to make to the Indians full compensation for the quan-  
7882 tity of land which will be thus taken from them on the south-  
7883 western part of the tract allowed them by the boundaries as  
7884 at present described in the treaty; and provided, further, that  
7885 this alteration of boundaries can be effected with the consent of  
7886 the Indians. Also the said commissioner shall examine whether  
7887 three thousand dollars, a part of the sum of seventeen thousand  
7888 dollars directed to be paid to Robert Stuart, agent of the Ameri-  
7889 can Fur Company, was to be paid and received in full discharge  
7890 of all claims and demands which said company had against  
7891 Gurdon S. Hubbard and James Kinzie; and if he finds it was to  
7892 be so paid, that then the sum of fourteen thousand dollars, *only*,  
7893 be paid, until said agent of said company give a receipt of all

7894 debts due, and demands which said company had against said  
 7895 Hubbard and Kinzie; and, upon giving such receipt, that then  
 7896 the said sum of three thousand dollars be likewise paid to said  
 7897 agent.

7898 These supplementary articles, after the same shall have been  
 7899 ratified by the President and Senate of the United States, shall  
 7900 be binding on the contracting parties.

7901 SCHEDULE "A."—(Referred to in the article supplementary  
 7902 to the treaty, containing the sums payable to individuals, in lieu  
 7903 of reservations of land.)

7904	Po-ka-gon .....	\$2,000 00
7905	Rebecca Burnett, } Ed. Brooks, trustee for each. {	500 00
7906	Mary Burnett }	250 00
7907	Martha Burnett (R. A. Forsyth, trustee).....	250 00
7908	Madaline Bertrand.....	200 00
7909	Joseph Bertrand, junr.....	200 00
7910	Luke Bertrand, junr.....	200 00
7911	Benjamin Bertrand.....	200 00
7912	Lawrence Bertrand.....	200 00
7913	Theresa Bertrand.....	200 00
7914	Amable Bertrand.....	200 00
7915	Julianne Bertrand.....	200 00
7916	Joseph H. Bertrand.....	100 00
7917	Mary M. Bertrand.....	100 00
7918	M. L. Bertrand.....	100 06
7919	John B. Du Charme.....	200 00
7920	Elizabeth Du Charme, (R. A. Forsyth, trustee)....	800 00
7921	George Henderson.....	400 09
7922	Mary Nado and children.....	400 00
7923	John Bt. Chandonai.....	1,000 00
7924	Charles Chandonai, } For each of whom R. A. {	400 00
7925	Mary Chandonai, } Forsyth is trustee. {	400 00
7926	Mary St. Comb and children.....	300 00
7927	Sa-gen-nais' daughter.....	200 00
7928	Me-chain, daughter of Pe-che-co.....	200 00
7929	Alexis Rolan .....	200 00
7930	Polly Neighbush.....	200 00
7931	Francois Page's wife and children.....	200 00
7932	Pierre F. Navarre's children.....	100 00
7933	Jarmont, (half-breed).....	100 00

7934  
 7935 Ten thousand dollars..... \$10,000 00

7936 Agreeably to the stipulations contained in the articles sup-  
 7937 plementary to the treaty, there have been purchased and de-  
 7938 livered at the request of the Indians, goods, provisions, and

7939 horses to the amount of fifteen thousand dollars, (leaving the  
7940 balance to be supplied hereafter ten thousand dollars.)

7941 And as, since the signing of the treaty, a part of the band  
7942 residing on the reservations in the Territory of Michigan have  
7943 requested, on account of their religious creed, permission to re-  
7944 move to the northern part of the peninsula of Michigan, it is  
7945 agreed that in case of such removal the just proportion of all  
7946 annuities payable to them under former treaties, and that arising  
7947 from the sale of the reservation on which they now reside, shall  
7948 be paid to them at L'arbre Croche.

7949 The commissioners certify that when these supplementary  
7950 articles were ready for signature, the original paper, of which  
7951 the annexed is a copy, was presented by Messrs. Peter and  
7952 James J. Godfroy, and the due execution of it was made sat-  
7953 isfactorily appear to the commissioners, the subscribing wit-  
7954 nesses, R. A. Forsyth and Robert A. Kinzie, being present. The  
7955 chiefs and head-men present recognizing this as a reservation,  
7956 it was agreed that it shall be considered in the same light as  
7957 though the purport of the instrument had been inserted in the  
7958 body of the treaty; with the understanding that the rejection  
7959 of it by the President and Senate of the United States shall not  
7960 affect the validity of the treaty.

7961 Know all men by these presents that we, the undersigned  
7962 chiefs and young men of the Potawatamie tribe of Indians living  
7963 at Na-to-wa-se-pe, in the Territory of Michigan, for and in con-  
7964 sideration of the friendship and sundry services rendered to us  
7965 by Peter and James J. Godfroy, we do hereby by these presents  
7966 give, grant, alien, transfer, and convey unto the said Godfroys,  
7967 their heirs and assigns forever, one entire section of land situate,  
7968 lying, and being on our reserve of Na-to-wa-se-pe, in the Terri-  
7969 tory aforesaid, to be located by said Godfroys wherever on said  
7970 reserve they shall think it more to their advantage and benefit.

7971 It is moreover the wishes of the undersigned chiefs and  
7972 young men as aforesaid, that so soon as there shall be a treaty  
7973 held between the United States and our said tribe of Potawat-  
7974 amies, that our Great Father, the President, confirm and make  
7975 good this our grant unto them, the said Godfroys, by issuing  
7976 a patent therefor to them and to their heirs forever.

7977 In so doing our Great Father will accomplish the wishes of  
7978 his children.

7979 CHICAGO, *Illinois*, October 1, 1834.

7980 THO. J. V. OWEN, Esq.,

7981 *United States Indian Agent :*

7982 FATHER: Feeling a disposition to comply with the resolu-  
7983 tion of the Senate of the United States, and the views of the  
7984 Government in relation to an alteration in the boundaries of

7985 the country ceded to the united nation of Chippewa, Ottawa,  
 7986 and Potawatamie Indians at the treaty at Chicago, in the State  
 7987 of Illinois, concluded on the 26th and 27th days of September,  
 7988 1833 : we therefore propose, as the chiefs of the said united  
 7989 nation, and for and on their behalf, that we will accept of  
 7990 the following alteration in the boundaries of the said tract of  
 7991 country, viz : Beginning at the mouth of Boyer's River; thence  
 7992 down the Missouri River, to a point thereon, from which a  
 7993 due east line would strike the northwest corner of the State  
 7994 of Missouri ; thence along the said east line, to the north-  
 7995 west corner of said State ; then along the northern bound-  
 7996 ary-line of the said State of Missouri, till it strikes the line of  
 7997 the lands of the Sac and Fox Indians ; thence northwardly along  
 7998 said line to a point from which a west line would strike the  
 7999 sources of the Little Sioux River ; thence along said west line,  
 8000 till it strikes the said sources of said river ; then down said river  
 8001 to its mouth ; thence down the Missouri River, to the place of  
 8002 beginning : *Provided* the said boundary shall contain five million  
 8003 of acres ; but should it contain more, then said boundaries are  
 8004 to be reduced so as to contain the said five millions of acres.

8005       And, in consideration of the alteration of said boundary we  
 8006 ask that ten thousand dollars should be paid to such commis-  
 8007 sioner as shall be designated by us to receive the same west of  
 8008 the Mississippi River, at such place on the tract of country ceded  
 8009 to the said United Nation as we may designate, and to be applied  
 8010 as we may direct for the use and benefit of the said nation. And  
 8011 the further sum of two thousand dollars to be paid to Gholson  
 8012 Kercheval, of Chicago, Illinois, for services rendered the said  
 8013 United Nation of Indians during the late war between the United  
 8014 States Government and the Sacs and Foxes ; and the further  
 8015 sum of one thousand dollars to George E. Walker for services  
 8016 rendered the said United Nation in bringing Indian prisoners  
 8017 from west of the Mississippi River to Ottawa, LaSelle County,  
 8018 Illinois, for whose appearance at the circuit court of said county  
 8019 the said nation was bound.

8020       The foregoing propositions are made with the expectation  
 8021 that with the exception of the alteration in the proposed bound-  
 8022 ary, and the indemnity herein demanded as an equivalent for  
 8023 said exchange, the whole of the treaty made and concluded at  
 8024 this place on the 26th and 27th days of September, 1833, be rat-  
 8025 ified as made and concluded at that time, within the space of  
 8026 five months from the present date ; otherwise it is our wish that  
 8027 the whole of the said treaty should be considered as cancelled.

8028       “ That the Senate do advise and consent to the alteration  
 8029 proposed by the chiefs of the united nation of Chippewa, Ottawa,  
 8030 and Pottawattamie Indians, concluded at Chicago, in the State

8031 of Illinois, on the first day of October, 1834, to the treaty con-  
 8032 cluded between the commissioners on the part of the United  
 8033 States and the chiefs of the said united nation on the 26th of  
 8034 September, 1833, it being expressly understood by the Senate  
 8035 that no other of the provisions of the resolution of the Senate  
 8036 of the 22d day of May, 1834, ratifying the said treaty, shall be  
 8037 affected, or in any manner changed, by the said proposed alter-  
 8038 ation of 1st October, 1834, excepting the proposed alteration in  
 8039 the boundaries therein mentioned, and the sums of money therein  
 8040 stipulated to be paid."

8041 Proclaimed February 21, 1835.

8042 Whereas the various bands of the Pottowautomic Indians,  
 8043 known as the Chippewas, Ottawas, and Pottowautomies, the  
 8044 Pottowautomies of the Prairie, the Pottowautomies of the  
 8045 Wabash, and the Pottowautomies of Indiana, have, subsequent  
 8046 to the year 1828, entered into separate and distinct treaties with  
 8047 the United States, by which they have been separated and  
 8048 located in different countries, and difficulties have arisen as to  
 8049 the proper distribution of the stipulations under various treaties,  
 8050 and being the same people by kindred, by feeling, and by lan-  
 8051 guage, and having, in former periods, lived on and owned their  
 8052 lands in common, and being desirous to unite in one common  
 8053 country, and again become one people, and receive their annui-  
 8054 ties and other benefits in common, and to abolish all minor  
 8055 distinctions of bands by which they have heretofore been divided,  
 8056 and are anxious to be known only as the Pottowautomic Nation,  
 8057 thereby reinstating the national character; and

8058 Whereas the United States are also anxious to restore and  
 8059 concentrate said tribes to a state so desirable and necessary for  
 8060 the happiness of their people, as well as to enable the Govern-  
 8061 ment to arrange and manage its intercourse with them:

8062 Now, therefore, the United States and the said Indians do  
 8063 hereby agree that said people shall hereafter be known as a  
 8064 nation, to be called the Pottowautomic Nation; and to the  
 8065 following

8066 *Articles of a treaty made and concluded at the Agency on the Mis-*  
 8067 *souri River, near Council Bluffs, on the fifth day of June,*  
 8068 *and at Pottawatomie Creek, near the Osage River, south and*  
 8069 *west of the State of Missouri, on the seventeenth day of the same*  
 8070 *month, in the year of our Lord one thousand eight hundred and*  
 8071 *forty-six, between T. P. Andrews, Thomas H. Harvey, and*  
 8072 *Gideon C. Matlock, commissioners on the part of the United*  
 8073 *States on the one part, and the various bands of the Pottowau-*  
 8074 *tomie, Chippewas, and Ottawas Indians on the other part:*

8075 ARTICLE 1. It is solemnly agreed that the peace and friend-  
 8076 ship which so happily exist between the people of the United  
 8077 States and the Pottowautomie Indians shall continue forever;  
 8078 the said tribes of Indians giving assurance, hereby, of fidelity and  
 8079 friendship to the Government and people of the United States,  
 8080 and the United States giving, at the same time, promise of all  
 8081 proper care and parental protection.

8082 ARTICLE 2. The said tribes of Indians hereby agree to sell  
 8083 and cede, and do hereby sell and cede to the United States, all  
 8084 the lands to which they have claim of any kind whatsoever,  
 8085 and especially the tracts or parcels of lands ceded to them by  
 8086 the treaty of Chicago, and subsequent thereto, and now, in  
 8087 whole or in part, possessed by their people, lying and being  
 8088 north of the river Missouri, and embraced in the limits of the  
 8089 Territory of Iowa; and also all that tract of country lying and  
 8090 being on or near the Osage River, and west of the State of Mis-  
 8091 souri; it being understood that these cessions are not to affect  
 8092 the title of said Indians to any grants or reservations made to  
 8093 them by former treaties.

8094 ARTICLE 3. In consideration of the foregoing cessions or  
 8095 sales of land to the United States, it is agreed to pay to said  
 8096 tribes of Indians the sum of eight hundred and fifty thousand  
 8097 dollars, subject to the conditions, deductions, and liabilities  
 8098 provided for in the subsequent articles of this treaty.

8099 ARTICLE 4. The United States agree to grant to the said  
 8100 united tribes of Indians possession and title to a tract or par-  
 8101 cel of land containing five hundred and seventy-six thousand  
 8102 acres, being thirty miles square, and being the eastern part of  
 8103 the lands ceded to the United States by the Kansas tribe of In-  
 8104 dians, by treaty concluded on the 14th day of January, and rati-  
 8105 fied on the 15th of April of the present year, lying adjoining  
 8106 the Shawnees on the south, and the Delawares and Shawnees on  
 8107 the east, on both sides of the Kansas River, and to guarantee  
 8108 the full and complete possession of the same to the Pottowauto-  
 8109 mie Nation, parties to this treaty, as their land and home for-  
 8110 ever; for which they are to pay the United States the sum  
 8111 of eighty-seven thousand dollars, to be deducted from the gross  
 8112 sum promised to them in the 3d article of this treaty.

8113 ARTICLE 5. The United States agree to pay said nation of  
 8114 Indians, at the first annuity payment after the ratification of  
 8115 this treaty, and after an appropriation shall have been made  
 8116 by Congress, the sum of fifty thousand dollars, out of the  
 8117 aggregate sum granted in the third article of this treaty to en-  
 8118 able said Indians to arrange their affairs, and pay their just  
 8119 debts, before leaving their present homes; to pay for their im-  
 8120 provements; to purchase wagons, horses, and other means of

8121 transportation, and pay individuals for the loss of property  
8122 necessarily sacrificed in moving to their new homes; said sum  
8123 to be paid, in open council, by the proper agents of the United  
8124 States, and in such just proportions to each band as the Presi-  
8125 dent of the United States may direct.

8126 ARTICLE 6. The said tribes of Indians agree to remove to  
8127 their new homes on the Kansas River, within two years from the  
8128 ratification of this treaty; and further agree to set apart the sum  
8129 of twenty thousand dollars to the upper bands, (being ten dol-  
8130 lars per head,) and ten thousand dollars to the lower bands,  
8131 (being five dollars per head,) to pay the actual expenses of re-  
8132 moving; and the sum of forty thousand dollars for all the bands,  
8133 as subsistence money, for the first twelve months after their  
8134 arrival at their new homes; to be paid to them so soon as their  
8135 arrival at their new homes is made known to the Government,  
8136 and convenient arrangements can be made to pay the same be-  
8137 tween the parties to this treaty; the aforesaid sums to be also  
8138 deducted from the aggregate sum granted by the United States  
8139 to said tribes of Indians by the 3d article of this treaty.

8140 ARTICLE 7. The balance of the said sum of eight hundred  
8141 and fifty thousand dollars, after deducting the cost of removal  
8142 and subsistence, &c., it is agreed shall remain with the United  
8143 States, *in trust* for said Indians, and an interest of five per cent.  
8144 annually paid thereon, commencing at the expiration of one  
8145 year after the removal of said Indians, and continuing for thirty  
8146 years, and until the nation shall be reduced below one thousand  
8147 souls. If, after the expiration of thirty years, or any period  
8148 thereafter, it shall be ascertained that the nation is reduced  
8149 below that number, the said annuity shall thenceforth be paid  
8150 *pro rata* so long as they shall exist as a separate and distinct  
8151 nation, in proportion as the present number shall bear to the  
8152 number then in existence.

8153 ARTICLE 8. It is agreed upon by the parties to this treaty  
8154 that, after the removal of the Pottowautomie Nation to the  
8155 Kansas country, the annual interest of their "improvement  
8156 fund" shall be paid out promptly and fully, for their benefit, at  
8157 their new homes. If, however, at any time thereafter, the Pres-  
8158 ident of the United States shall be of opinion that it would be  
8159 advantageous to the Pottowautomie Nation, and they should  
8160 request the same to be done, to pay them the interest of said  
8161 money in lieu of the employment of persons or purchase of ma-  
8162 chines or implements, he is hereby authorized to pay the same,  
8163 or any part thereof, in money, as their annuities are paid at the  
8164 time of the general payments of annuities. It is also agreed  
8165 that, after the expiration of two years from the ratification of  
8166 this treaty, the school-fund of the Pottowautomies shall be ex-

8167 depended entirely in their own country, unless their people, in  
8168 council, should, at any time, express a desire to have any part  
8169 of the same expended in a different manner.

8170 ARTICLE 9. It is agreed by the parties to this treaty that  
8171 the buildings occupied as a missionary establishment, including  
8172 twenty acres of land now under fence, shall be reserved for the  
8173 use of the Government agency; also the houses used for black-  
8174 smith house and shop shall be reserved for the use of the Pot-  
8175 towautomie smith; but should the property cease to be used for  
8176 the aforementioned purposes, then it shall revert to the use of  
8177 the Pottowautomie Nation.

8178 ARTICLE 10. It is agreed that hereafter there shall be paid  
8179 to the Pottowautomie Nation, annually, the sum of three hun-  
8180 dred dollars, in lieu of the two thousand pounds of tobacco, fif-  
8181 teen hundred pounds of iron, and three hundred and fifty  
8182 pounds of steel, stipulated to be paid to the Pottowautomies  
8183 under the third article of the treaty of September 20, 1828.

8184 Proclaimed July 22, 1846.

8185 CHIPPEWAS, WYANDOTS, DELAWARES, ETC.

8186 *A treaty of peace between the United States of America and the*  
8187 *tribes of Indians called the Wyandots, Delawares, Shawanoes,*  
8188 *Ottawas, Chippewas, Putawatimes, Miamis, Eel-river, Wee-a's,*  
8189 *Kickapoos, Piankashaws, and Kaskaskians.*

8190 To put an end to a destructive war, to settle all controversies,  
8191 and to restore harmony and a friendly intercourse between the  
8192 said United States and Indian tribes, Anthony Wayne, major-  
8193 general, commanding the Army of the United States, and sole  
8194 commissioner for the good purposes above mentioned, and the  
8195 said tribes of Indians, by their sachems, chiefs, and warriors,  
8196 met together at Greeneville, the headquarters of the said Army,  
8197 have agreed on the following articles, which, when ratified by  
8198 the President, with the advice and consent of the Senate of the  
8199 United States, shall be binding on them and the said Indian  
8200 tribes.

8201 ARTICLE 1. Henceforth all hostilities shall cease; peace is  
8202 hereby established, and shall be perpetual; and a friendly inter-  
8203 course shall take place between the said United States and In-  
8204 dian tribes.

8205 ARTICLE 2. All prisoners shall on both sides be restored. The  
8206 Indians, prisoners to the United States, shall be immediately  
8207 set at liberty. The people of the United States still remaining

8208 prisoners among the Indians shall be delivered up in ninety  
8209 days from the date hereof, to the general or commanding officer  
8210 at Greeneville, Fort Wayne, or Fort Defiance; and ten chiefs  
8211 of the said tribes shall remain at Greeneville as hostages, until  
8212 the delivery of the prisoners shall be effected.

8213 ARTICLE 3. The general boundary-line between the lands of  
8214 the said Indian tribes shall begin at the mouth of Cayahoga  
8215 River, and run thence up the same to the portage between that  
8216 and the Tuscarawas branch of the Muskingum; thence down  
8217 that branch to the crossing-place above Fort Lawrence; thence  
8218 westerly to a fork of that branch of the Great Miami River run-  
8219 ning into the Ohio, at or near which fork stood Loromie's store,  
8220 and where commences the portage between the Miami of the  
8221 Ohio, and Saint Mary's River, which is a branch of the Miami,  
8222 which runs into Lake Erie; thence a westerly course to Fort  
8223 Recovery, which stands on a branch of the Wabash; then  
8224 south-westerly in a direct line to the Ohio, so as to intersect that  
8225 river opposite the mouth of Kentucke or Cuttawa River. And  
8226 in consideration of the peace now established; of the goods  
8227 formerly received from the United States; of those now to be  
8228 delivered, and of the yearly delivery of goods now stipulated to  
8229 be made hereafter, and to indemnify the United States for the  
8230 injuries and expences they have sustained during the war, the  
8231 said Indian tribes do hereby cede and relinquish forever all  
8232 their claims to the lands lying eastwardly and southwardly of  
8233 the general boundary-line now described; and these lands, or  
8234 any part of them, shall never hereafter be made a cause or pre-  
8235 tence, on the part of the said tribes or any of them, of war or  
8236 injury to the United States, or any of the people thereof.

8237 And for the same considerations, and as an evidence of the  
8238 returning friendship of the said Indian tribes, of their confidence  
8239 in the United States, and desire to provide for their accommoda-  
8240 tion, and for that convenient intercourse which will be beneficial  
8241 to both parties, the said Indian tribes do also cede to the United  
8242 States the following pieces of land, to wit: (1.) One piece of  
8243 land six miles square at or near Loromie's store before mentioned.  
8244 (2.) One piece two miles square at the head of the navigable  
8245 water or landing on the St. Mary's River, near Girty's town.  
8246 (3.) One piece six miles square at the head of the navigable  
8247 water of the Au-Glaize River. (4.) One piece six miles square  
8248 at the confluence of the Au-Glaize and Miami rivers, where Fort  
8249 Defiance now stands. (5.) One piece six miles square at or near  
8250 the confluence of the rivers St. Mary's and St. Joseph's, where  
8251 Fort Wayne now stands, or near it. (6.) One piece two miles  
8252 square on the Wabash River at the end of the portage from the  
8253 Miami of the lake, and about eight miles westward from Fort

8254 Wayne. (7.) One piece six miles square at the Ouatanon or old  
 8255 Weea towns on the Wabash River. (8.) One piece twelve miles  
 8256 square at the British fort on the Miami of the lake at the foot  
 8257 of the rapids. (9.) One piece six miles square at the mouth of  
 8258 the said river where it empties into the lake. (10.) One piece  
 8259 six miles square upon Sandusky Lake, where a fort formerly  
 8260 stood. (11.) One piece two miles square at the lower rapids of  
 8261 Sandusky River. (12.) The post of Detroit and all the land to  
 8262 the north, the west, and the south of it, of which the Indian title  
 8263 has been extinguished by gifts or grants to the French or English  
 8264 governments; and so much more land to be annexed to the  
 8265 district of Detroit as shall be comprehended between the river  
 8266 Rosine on the south, Lake St. Clair on the north, and a line, the  
 8267 general course whereof shall be six miles distant from the west  
 8268 end of Lake Erie and Detroit River. (13.) The post of Michilli-  
 8269 mackinac, and all the land on the island, on which that post  
 8270 stands, and the main land adjacent, of which the Indian title  
 8271 has been extinguished by gifts or grants to the French or Eng-  
 8272 lish governments; and a piece of land on the main to the north  
 8273 of the island, to measure six miles on Lake Huron, or the streight  
 8274 between Lakes Huron and Michigan, and to extend three miles  
 8275 back from the water of the lake or streight, and also the island  
 8276 De Bois Blanc, being an extra and voluntary gift of the Chipewa  
 8277 Nation. (14.) One piece of land six miles square at the mouth  
 8278 of Chikago River emptying into the southwest end of Lake  
 8279 Michigan, where a fort formerly stood. (15.) One piece twelve  
 8280 miles square at or near the mouth of the Illinois River, emptying  
 8281 into the Mississippi. (16.) One piece six miles square at the old  
 8282 Piorias fort and village, near the south end of the Illinois Lake  
 8283 on said Illinois River. And whenever the United States shall  
 8284 think proper to survey and mark the boundaries of the lands  
 8285 hereby ceded to them, they shall give timely notice thereof to  
 8286 the said tribes of Indians, that they may appoint some of their  
 8287 wise chiefs to attend and see that the lines are run according to  
 8288 the terms of this treaty.

8289 And the said Indian tribes will allow to the people of the  
 8290 United States a free passage by land and by water, as one and  
 8291 the other shall be found convenient, through their country, along  
 8292 the chain of posts hereinbefore mentioned; that is to say, from  
 8293 the commencement of the portage aforesaid at or near Loromie's  
 8294 store, thence along said portage to the St. Mary's, and down  
 8295 the same to Fort Wayne, and then down the Miami to Lake Erie :  
 8296 again from the commencement of the portage at or near Loro-  
 8297 mie's store along the portage from thence to the river Au-Glaize,  
 8298 and down the same to its junction with the Miami at Fort Defi.  
 8299 ance: again from the commencement of the portage aforesaid

8300 to Sandusky River, and down the same to Sandusky Bay and  
 8301 Lake Erie, and from Sandusky to the post which shall be taken  
 8302 at or near the foot of the rapids of the Miami of the lake; and  
 8303 from thence to Detroit. Again from the mouth of Chikago to  
 8304 the commencement of the portage, between that river and the  
 8305 Illinois, and down the Illinois River to the Mississippi; also from  
 8306 Fort Wayne along the portage aforesaid which leads to the Wa-  
 8307 bash, and then down the Wabash to the Ohio. And the said  
 8308 Indian tribes will also allow to the people of the United States  
 8309 the free use of the harbours and mouths of rivers along the lakes  
 8310 adjoining the Indian lands, for sheltering vessells and boats, and  
 8311 liberty to land their cargoes where necessary for their safety.

8312 ARTICLE 4. In consideration of the peace now established  
 8313 and of the cessions and relinquishments of lands made in the  
 8314 preceding article by the said tribes of Indians, and to manifest  
 8315 the liberality of the United States, as the great means of render-  
 8316 ing this peace strong and perpetual, the United States relinquish  
 8317 their claims to all other Indian lands northward of the river  
 8318 Ohio, eastward of the Mississippi, and westward and southward  
 8319 of the Great Lakes and the waters uniting them, according to  
 8320 the boundary-line agreed on by the United States and the King  
 8321 of Great Britain, in the treaty of peace made between them in  
 8322 the year 1783. But from this relinquishment by the United  
 8323 States the following tracts of land are explicitly excepted: 1st.  
 8324 The tract of one hundred and fifty thousand acres near the rapids  
 8325 of the river Ohio, which has been assigned to General Clark, for  
 8326 the use of himself and his warriors. 2d. The post of St. Vincennes  
 8327 on the river Wabash, and the lands adjacent, of which the  
 8328 Indian title has been extinguished. 3d. The lands at all other  
 8329 places in possession of the French people and other white set-  
 8330 tlers among them, of which the Indian title has been extinguished  
 8331 as mentioned in the 3d article; and 4th. The post of Fort Mas-  
 8332 sac, toward the mouth of the Ohio. To which several parcels of  
 8333 land so excepted, the said tribes relinquish all the title and claim  
 8334 which they or any of them may have.

8335 And for the same considerations and with the same views  
 8336 as above mentioned, the United States now deliver to the said  
 8337 Indian tribes a quantity of goods to the value of twenty thou-  
 8338 sand dollars, the receipt whereof they do hereby acknowledge;  
 8339 and henceforward every year forever the United States will  
 8340 deliver at some convenient place northward of the river Ohio,  
 8341 like usefull goods, suited to the circumstances of the Indians, of  
 8342 the value of nine thousand five hundred dollars; reckoning that  
 8343 value at the first cost of the goods in the city or place in the  
 8344 United States where they shall be procured. The tribes to which

8345 those goods are to be annually delivered, and the proportions in  
8346 which they are to be delivered, are the following:

8347 1st. To the Wyandots, the amount of one thousand dollars.  
8348 2d. To the Delawares, the amount of one thousand dollars. 3d.  
8349 To the Shawanese, the amount of one thousand dollars. 4th.  
8350 To the Miamis, the amount of one thousand dollars. 5th. To the  
8351 Ottawas, the amount of one thousand dollars. 6th. To the Chip-  
8352 pewas, the amount of one thousand dollars. 7th. To the Puta-  
8353 watimes, the amount of one thousand dollars. 8th. And to the  
8354 Kickapoo, Weea, Eel River, Piankashaw and Kaskaskias tribes,  
8355 the amount of five hundred dollars each: *Provided*, That if  
8356 either of the said tribes shall hereafter, at an annual delivery of  
8357 their share of the goods aforesaid, desire that a part of their  
8358 annuity should be furnished in domestic animals, implements of  
8359 husbandry, and other utensils convenient for them, and in com-  
8360 pensation to usefull artificers who may reside with or near them,  
8361 and be employed for their benefit, the same shall at the subse-  
8362 quent annual deliveries be furnished accordingly.

8363 ARTICLE 5. To prevent any misunderstanding about the  
8364 Indian lands relinquished by the United States in the fourth  
8365 article, it is now explicitly declared that the meaning of that  
8366 relinquishment is this: The Indian tribes who have a right  
8367 to those lands are quietly to enjoy them, hunting, planting, and  
8368 dwelling thereon so long as they please, without any molestation  
8369 from the United States; but when those tribes, or any of them,  
8370 shall be disposed to sell their lands, or any part of them, they  
8371 are to be sold only to the United States; and untill such sale  
8372 the United States will protect all the said Indian tribes in the  
8373 quiet enjoyment of their lands against all citizens of the United  
8374 States and against all other white persons who intrude upon the  
8375 same. And the said Indian tribes again acknowledge them-  
8376 selves to be under the protection of the said United States and  
8377 no other power whatever.

8378 ARTICLE 6. If any citizen of the United States, or any  
8379 other white person or persons, shall presume to settle upon the  
8380 lands now relinquished by the United States, such citizen or  
8381 other person shall be out of the protection of the United States;  
8382 and the Indian tribe on whose land the settlement shall be made  
8383 may drive off the settler, or punish him in such manner as they  
8384 shall think fit; and because such settlements made without the  
8385 consent of the United States will be injurious to them as well  
8386 as to the Indians, the United States shall be at liberty to break  
8387 them up, and remove and punish the settlers as they shall think  
8388 proper, and so effect that protection of the Indian lands herein-  
8389 before stipulated.

8390 ARTICLE 7. The said tribes of Indians, parties to this

8391 treaty, shall be at liberty to hunt within the territory and lands  
 8392 which they have now ceded to the United States, without hin-  
 8393 drance or molestation, so long as they demean themselves peace-  
 8394 ably and offer no injury to the people of the United States.

8395 ARTICLE 8. Trade shall be opened with the said Indian  
 8396 tribes; and they do hereby respectively engage to afford pro-  
 8397 tection to such persons, with their property, as shall be duly  
 8398 licensed to reside among them for the purpose of trade, and  
 8399 to their agents and servants; but no person shall be permit-  
 8400 ted to reside at any of their towns or hunting-camps as a  
 8401 trader who is not furnished with a license for that purpose  
 8402 under the hand and seal of the superintendent of the depart-  
 8403 ment northwest of the Ohio, or such other person as the Presi-  
 8404 dent of the United States shall authorize to grant such licenses,  
 8405 to the end that the said Indians may not be imposed on in their  
 8406 trade. And if any licensed trader shall abuse his privilege by  
 8407 unfair dealing, upon complaint and proof thereof, his license  
 8408 shall be taken from him, and he shall be further punished ac-  
 8409 cording to the laws of the United States. And if any person  
 8410 shall intrude himself as a trader, without such license, the said  
 8411 Indians shall take and bring him before the superintendent or  
 8412 his deputy, to be dealt with according to law. And to prevent  
 8413 impositions by forged licenses, the said Indians shall at least  
 8414 once a year give information to the superintendent or his depu-  
 8415 ties of the names of the traders among them.

8416 ARTICLE 9. Lest the firm peace and friendship now estab-  
 8417 lished should be interrupted by the misconduct of individuals,  
 8418 the United States and the said Indian tribes agree, that for in-  
 8419 juries done by individuals on either side, no private revenge or  
 8420 retaliation shall take place; but, instead thereof, complaint shall  
 8421 be made by the party injured to the other; by the said Indian  
 8422 tribes, or any of them, to the President of the United States, or  
 8423 the superintendant by him appointed; and by the superintend-  
 8424 ent or other person appointed by the President, to the principal  
 8425 chiefs of the said Indian tribes, or of the tribe to which the offender  
 8426 belongs; and such prudent measures shall then be pursued as shall  
 8427 be necessary to preserve the said peace and friendship unbroken,  
 8428 until the Legislature (or Great Council) of the United States  
 8429 shall make other equitable provision in the case, to the satis-  
 8430 faction of both parties. Should any Indian tribes meditate a war  
 8431 against the United States, or either of them, and the same shall  
 8432 come to the knowledge of the before-mentioned tribes, or either  
 8433 of them, they do hereby engage to give immediate notice thereof  
 8434 to the general or officer commanding the troops of the United  
 8435 States at the nearest post. And should any tribe, with hostile  
 8436 intentions against the United States, or either of them, attempt

8437 to pass through their country, they will endeavour to prevent  
 8438 the same, and in like manner give information of such attempt  
 8439 to the general or officer commanding, as soon as possible, that  
 8440 all causes of mistrust and suspicion may be avoided between  
 8441 them and the United States. In like manner the United States  
 8442 shall give notice to the said Indian tribes of any harm that may be  
 8443 meditated against them, or either of them, that shall come to  
 8444 their knowledge; and do all in their power to hinder and pre-  
 8445 vent the same, that the friendship between them may be unin-  
 8446 terrupted.

8447 ARTICLE 10. All other treaties heretofore made between  
 8448 the United States and the said Indian tribes, or any of them,  
 8449 since the treaty of 1783, between the United States and Great  
 8450 Britain, that come within the purview of this treaty, shall  
 8451 henceforth cease and become void.

8452 Proclaimed December 2, 1795.

8453 CHIPPEWAS, WYANDOTS, OTTAWAS, MUNSEES, AND  
 8454 DELAWARES, ETC.

8455 *A treaty between the United States of America and the sachems,*  
 8456 *chiefs, and warriors of the Wyandot, Ottawa, Chipawa, Mun-*  
 8457 *see and Delaware, Shawanee, and Pottawatima Nations,*  
 8458 *holden at Fort Industry, on the Miami of the lake, on the*  
 8459 *fourth day of July, anno Domini one thousand eight hundred*  
 8460 *and five.*

8461 ARTICLE 1. The said Indian nations do again acknowledge  
 8462 themselves and all their tribes to be in friendship with, and  
 8463 under the protection of, the United States.

8464 ARTICLE 2. The boundary-line between the United States  
 8465 and the nations aforesaid shall in future be a meridian-line  
 8466 drawn north and south, through a boundary to be erected on the  
 8467 south shore of Lake Erie, one hundred and twenty miles due  
 8468 west of the west boundary-line of the State of Pennsylvania,  
 8469 extending north untill it intersects the boundary-line of the  
 8470 United States, and extending south it intersects a line heretofore  
 8471 established by the treaty of Grenville.

8472 ARTICLE 3. The Indian nations aforesaid, for the considera-  
 8473 tion of friendship to the United States, and the sums of money  
 8474 hereinafter mentioned, to be paid annually to the Wyandot,  
 8475 Shawanee, Munsee and Delaware Nations, have ceded and do  
 8476 hereby cede and relinquish to said United States forever, all  
 8477 the lands belonging to said United States lying east of the  
 8478 aforesaid line, bounded southerly and easterly by the line estab-

8479 lished by said treaty of Grenville, and northerly by the north-  
8480 ernmost part of the forty-first degree of north latitude.

8481 ARTICLE 4. The United States, to preserve harmony, mani-  
8482 fest their liberality, and in consideration of the cession made in  
8483 the preceding article, will, every year forever hereafter, at De-  
8484 troit, or some other convenient place, pay and deliver to the  
8485 Wyandot, Munsee and Delaware Nations, and those of the  
8486 Shawanee and Seneca Nations who reside with the Wyandots,  
8487 the sum of eight hundred and twenty-five dollars, current money  
8488 of the United States, and the further sum of one hundred and  
8489 seventy-five dollars, making in the whole an annuity of one  
8490 thousand dollars; which last sum of one hundred and seventy-  
8491 five dollars has been secured to the President, in trust for said  
8492 nations, by the Connecticut Land Company, and by the com-  
8493 pany incorporated by the name of "The Proprietors of the  
8494 Half Million Acres of Land lying south of Lake Erie, called  
8495 Sufferer's Land," payable annually as aforesaid, and to be  
8496 divided between said nations, from time to time, in such propor-  
8497 tions as said nations, with the approbation of the President,  
8498 shall agree.

8499 ARTICLE 5. To prevent all misunderstanding hereafter, it  
8500 is to be expressly remembered that the Ottawa and Chipawa  
8501 Nations, and such of the Pottawatima Nation as reside on the  
8502 river Huron of Lake Erie, and in the neighbourhood thereof,  
8503 have received from the Connecticut Land Company, and the  
8504 company incorporated by the name of "The Proprietors of the  
8505 Half Million Acres of Land lying south of Lake Erie, called  
8506 Sufferer's Land," the sum of four thousand dollars in hand, and  
8507 have secured to the President of the United States, in trust for  
8508 them, the further sum of twelve thousand dollars, payable in  
8509 six annual instalments of two thousand each; which several  
8510 sums is the full amount of their proportion of the purchases  
8511 effected by this treaty, and also by a treaty with said companies  
8512 bearing even date herewith; which proportions were agreed on  
8513 and concluded by the whole of said nations in their general  
8514 council; which several sums, together with two thousand nine  
8515 hundred and sixteen dollars and sixty-seven cents, secured to  
8516 the President, to raise said sum of one hundred and seventy-five  
8517 dollars annuity as aforesaid, is the amount of the consideration  
8518 paid by the agents of the Connecticut Reserve for the cession  
8519 of their lands.

8520 ARTICLE 6. The said Indian nations, parties to this treaty,  
8521 shall be at liberty to fish and hunt within the territory and lands  
8522 which they have now ceded to the United States, so long as they  
8523 shall demean themselves peaceably.

8524 Proclaimed April 24, 1806.

8525 CHIPPEWAS, OTTAWAS, WYANDOTTS, AND POTTAWOTOMIES.  
8526

8527 *Articles of a treaty made at Detroit, this seventeenth day of No-*  
8528 *rember, in the year of our Lord one thousand eight hundred*  
8529 *and seven, by William Hull, governor of the Territory of Mich-*  
8530 *igan, and superintendant of Indian affairs, and sole commis-*  
8531 *sioner of the United States, to conclude and sign a treaty or*  
8532 *treaties with the several nations of Indians northwest of the*  
8533 *river Ohio, on the one part, and the sachems, chiefs, and war-*  
8534 *riors of the Ottoway, Chippeway, Wyandotte, and Pottawa-*  
8535 *camie nations of Indians, on the other part. To confirm and*  
8536 *perpetuate the friendship which happily subsists between the*  
8537 *United States and the nations aforesaid, to manifest the sin-*  
8538 *cerity of that friendship, and to settle arrangements mutually*  
8539 *beneficial to the parties, after a full explanation and perfect*  
8540 *understanding, the following articles are agreed to, which, when*  
8541 *ratified by the President, by and with the advice and consent of*  
8542 *the Senate of the United States, shall be binding on them and*  
8543 *the respective nations of Indians :*

8544 ARTICLE 1. The sachems, chiefs, and warriors of the nations  
8545 aforesaid, in consideration of money and goods, to be paid to the  
8546 said nations by the Government of the United States, as here-  
8547 after stipulated, do hereby agree to cede, and forever quit-claim,  
8548 and do in behalf of their nations hereby cede, relinquish, and  
8549 forever quit-claim unto the said United States, all right, title, and  
8550 forever quit-claim unto the said United States, all right, title, and  
8551 or claimed, in or unto the lands comprehended within the fol-  
8552 lowing-described lines and boundaries: Beginning at the mouth  
8553 of the Miami River of the lakes, and running thence up the  
8554 middle thereof, to the mouth of the great Au Glaize River,  
8555 thence running due north until it intersects a parallel of latitude,  
8556 to be drawn from the outlet of Lake Huron, which forms the  
8557 river Sinclair; thence running northeast, the course that may  
8558 be found will lead in a direct line to White Rock, in Lake Huron;  
8559 thence due east until it intersects the boundary-line between the  
8560 United States and Upper Canada, in said lake; thence south-  
8561 wardly, following the said boundary-line down said lake through  
8562 river Sinclair, Lake St. Clair, and the river Detroit, into Lake  
8563 Erie, to a point due east of the aforesaid Miami River; thence  
8564 west to the place of beginning.

8565 ARTICLE 2. It is hereby stipulated and agreed on the part  
8566 of the United States, as a consideration for the lands ceded by  
8567 the nations aforesaid in the preceding article, that there shall be

8568 paid to the said nations, at Detroit, ten thousand dollars, in  
 8569 money, goods, implements of husbandry, or domestic animals,  
 8570 (at the option of the said nations, seasonably signified, through  
 8571 the superintendant of Indian affairs, residing with the said  
 8572 nations, to the Department of War,) as soon as practicable after  
 8573 the ratification of the treaty by the President, with the advice  
 8574 and consent of the Senate of the United States; of this sum  
 8575 three thousand three hundred and thirty-three dollars thirty-  
 8576 three cents and four mills shall be paid to the Ottawa Nation,  
 8577 three thousand three hundred and thirty-three dollars thirty-  
 8578 three cents and four mills to the Chippeway Nation, one  
 8579 thousand six hundred sixty-six dollars sixty-six cents and six  
 8580 mills to the Wyandotte Nation, one thousand six hundred  
 8581 sixty-six dollars sixty-six cents and six mills to the Potta-  
 8582 watamie Nation, and likewise an annuity forever, of two thousand  
 8583 four hundred dollars, to be paid at Detroit, in manner as afore-  
 8584 said; the first payment to be made on the first day of September  
 8585 next, and to be paid to the different nations in the following pro-  
 8586 portions: Eight hundred dollars to the Ottaways, eight hundred  
 8587 dollars to the Chippeways, four hundred dollars to the Wyan-  
 8588 dottes, and four hundred dollars to such of the Pottawatamies  
 8589 as now reside on the river Huron of Lake Erie, the river Raisin,  
 8590 and in the vicinity of the said rivers.

8591 ARTICLE 3. It is further stipulated and agreed, if at any  
 8592 time hereafter the said nations should be of the opinion that it  
 8593 would be more for their interest that the annuity aforesaid  
 8594 should be paid by instalments, the United States will agree to  
 8595 a reasonable commutation for the annuity, and pay it accord-  
 8596 ingly.

8597 ARTICLE 4. The United States, to manifest their liberality  
 8598 and disposition to encourage the said Indians in agriculture,  
 8599 further stipulate to furnish the said Indians with two *black-*  
 8600 *smiths*, one to reside with the Chippeways, at Saguna, and the  
 8601 other to reside with the Ottaways, at the Miami, during the  
 8602 term of ten years; said blacksmiths are to do such work for the  
 8603 said nations as shall be most useful to them.

8604 ARTICLE 5. It is further agreed and stipulated that the  
 8605 said Indian nations shall enjoy the privilege of hunting and fish-  
 8606 ing on the lands ceded as aforesaid as long as they remain the  
 8607 property of the United States.

8608 ARTICLE 6. It is distinctly to be understood, for the accom-  
 8609 modation of the said Indians, that the following tracts of land  
 8610 within the cession aforesaid shall be, and hereby are, reserved to  
 8611 the said Indian nations; one tract of land six miles square, on the  
 8612 Miami of Lake Erie, above *Roche de Bœuf*, to include the village  
 8613 where *Tondaganie* (or the Dog) now lives. Also, three miles

8614 square on the said river, (above the twelve miles square ceded  
 8615 to the United States by the treaty of Greenville,) including  
 8616 what is called *Presque Isle*; also four miles square on the Miami  
 8617 Bay, including the villages where *Meshkemau* and *Wau-gau* now  
 8618 live; also three miles square on the river *Raisin*, at a place  
 8619 called *Macon*, and where the river *Macon* falls into the river  
 8620 *Raisin*, which place is about fourteen miles from the mouth of  
 8621 said river *Raisin*; also two sections, of one mile square each, on  
 8622 the river *Rouge*, at *Seginsicwin's* village; also two sections, of one  
 8623 mile square each, at *Tonquish's* village, near the river *Rouge*;  
 8624 also three miles square on Lake St. Clair, above the river Hu-  
 8625 ron, to include *Machonce's* village; also, six sections, each sec-  
 8626 tion containing one mile square, within the cession aforesaid, in  
 8627 such situations as the said Indians shall elect, subject, however,  
 8628 to the approbation of the President of the United States as to  
 8629 the places of location. It is further understood and agreed,  
 8630 that whenever the reservations cannot conveniently be laid out  
 8631 in squares, they shall be laid out in *parallelograms*, or other  
 8632 figures, as found most practicable and convenient, so as to con-  
 8633 tain the *area* specified in miles, and in all cases they are to be  
 8634 located in such manner and in such situations as not to inter-  
 8635 fere with any improvements of the French or other white peo-  
 8636 ple, or any former cessions.

8637 ARTICLE 7. The said nations of Indians acknowledge them-  
 8638 selves to be under the protection of the United States, and no  
 8639 other power, and will prove by their conduct that they are  
 8640 worthy of so great a blessing.

8641 Proclaimed January 27, 1808.

#### 8642 CHIPPEWAS, OTTAWAS, AND POTTAWOTTOMIES, ETC.

8643 *Articles of a treaty made and concluded at Brownstown, in the*  
 8644 *Territory of Michigan, between William Hull, governor of the*  
 8645 *said Territory, superintendent of Indian affairs, and commis-*  
 8646 *sioner plenipotentiary of the United States of America for*  
 8647 *concluding any treaty or treaties which may be found neces-*  
 8648 *sary with any of the Indian tribes northwest of the river*  
 8649 *Ohio, of the one part, and the sachems, chiefs, and warriors of*  
 8650 *the Chippewa, Ottawa, Pottawatamie, Wyandot, and Shaw-*  
 8651 *anoese Nations of Indians, of the other part.*

8652 ARTICLE 1. Whereas by a treaty concluded at Detroit, on the  
 8653 seventeenth day of November, in the year of our Lord one thou-  
 8654 sand eight hundred and seven, a tract of land lying to the west

8655 and north of the river Miami, of Lake Erie, and principally  
 8656 within the Territory of Michigan, was ceded by the Indian na-  
 8657 tions to the United States; and whereas the lands lying on the  
 8658 southeastern side of the said river Miami, and between said  
 8659 river and the boundary-lines established by the treaties of  
 8660 Greenville and Fort Industry, with the exception of a few small  
 8661 reservations to the United States, still belong to the Indian  
 8662 nations, so that the United States cannot, of right, open and  
 8663 maintain a convenient road from the settlements in the State of  
 8664 Ohio to the settlements in the Territory of Michigan, nor ex-  
 8665 tend those settlements so as to connect them; in order, there-  
 8666 fore, to promote this object, so desirable and evidently beneficial  
 8667 to the Indian nations as well as to the United States, the parties  
 8668 have agreed to the following articles, which, when ratified by  
 8669 the President of the United States, by and with the advice and  
 8670 consent of the Senate thereof, shall be reciprocally binding.

8671 ARTICLE 2. The several nations of Indians aforesaid, in  
 8672 order to promote the object mentioned in the preceding article,  
 8673 and in consideration of the friendship they bear towards the  
 8674 United States, for the liberal and benevolent policy which has  
 8675 been practised toward them by the Government thereof, do  
 8676 hereby give, grant, and cede unto the said United States a  
 8677 tract of land for a road, of one hundred and twenty feet in  
 8678 weadth, from the foot of the rapids of the river Miami of Lake  
 8679 Erie to the western line of the Connecticut reserve, and all the  
 8680 land within one mile of the said road, *on each side thereof*, for  
 8681 the purpose of establishing settlements along the same: also a  
 8682 tract of land, for a *road only*, of one hundred and twenty feet in  
 8683 weadth, to run southwardly from what is called Lower San-  
 8684 dusky, to the boundary-line established by the treaty of Green-  
 8685 ville, with the privilege of taking at all times such timber and  
 8686 other materials from the adjacent lands as may be necessary  
 8687 for making and keeping in repair the said road, with the bridges  
 8688 that may be required along the same.

8689 ARTICLE 3. It is agreed, that the lines embracing the lands  
 8690 given and ceded by the preceding article shall be run in such  
 8691 directions as may be thought most adviseable by the President  
 8692 of the United States for the purposes aforesaid.

8693 ARTICLE 4. It is agreed that the said Indian nations shall  
 8694 retain the privilege of hunting and fishing on the lands given  
 8695 and ceded as above, so long as the same shall remain the prop-  
 8696 erty of the United States.

8697 ARTICLE 5. The several nations of Indians aforesaid do  
 8698 again acknowledge themselves to be under the protection of the  
 8699 United States, and of no other sovereign; and the United States  
 8700 on their part do renew their covenant, to extend protection to

8701 them according to the intent and meaning of stipulations in  
8702 former treaties.

8703 Proclaimed March 3, 1809.

8704 *A Treaty between the United States of America and the Wyandot,*  
8705 *Delaware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and*  
8706 *Potawatimie tribes of Indians, residing within the limits of*  
8707 *the State of Ohio and the Territories of Indiana and Michigan.*

8708 Whereas the Chippewa, Ottawa, and Potawatimie tribes  
8709 of Indians, together with certain bands of the Wyandot, Dela-  
8710 ware, Seneca, Shawanoe, and Miami tribes, were associated with  
8711 Great Britain in the late war between the United States and that  
8712 power, and have manifested a disposition to be restored to the  
8713 relations of peace and amity with the said States; and the Presi-  
8714 dent of the United States having appointed William Henry  
8715 Harrison, late a major-general in the service of the United  
8716 States, Duncan M'Arthur, late a brigadier in the service of the  
8717 United States, and John Graham, esquire, as commissioners to  
8718 treat with the said tribes; the said commissioners and the sa-  
8719 chems, head-men, and warriors of said tribes, having met in  
8720 council at the Spring Wells, near the city of Detroit, have agreed  
8721 to the following articles, which, when ratified by the President,  
8722 by and with the advice and consent of the Senate of the United  
8723 States, shall be binding on them and the said tribes:

8724 ARTICLE 1. The United States give peace to the Chippe-  
8725 wa, Ottawa, and Potawatimie tribes.

8726 ARTICLE 2. They also agree to restore to the said Chippe-  
8727 wa, Ottawa, and Potawatimie tribes all the possessions, rights,  
8728 and privileges which they enjoyed, or were entitled to, in the  
8729 year one thousand eight hundred and eleven, prior to the com-  
8730 mencement of the late war with Great Britain; and the said  
8731 tribes, upon their part, agree again to place themselves under  
8732 the protection of the United States, and of no other power what-  
8733 soever.

8734 ARTICLE 3. In consideration of the fidelity to the United  
8735 States which has been manifested by the Wyandot, Delaware,  
8736 Seneca, and Shawanoe tribes throughout the late war, and of  
8737 the repentance of the Miami tribe, as manifested by placing them-  
8738 selves under the protection of the United States by the treaty  
8739 of Greenville, in eighteen hundred and fourteen, the said States  
8740 agree to pardon such of the chiefs and warriors of said tribes as  
8741 may have continued hostilities against them until the close of the  
8742 war with Great Britain, and to permit the chiefs of their respec-  
8743 tive tribes to restore them to the stations and property which  
8744 they held previously to the war.

8745 ARTICLE 4. The United States and the before-mentioned  
 8746 tribes or nations of Indians, that is to say, the Wyandot, Dela-  
 8747 ware, Seneca, Shawanoe, Miami, Chippewa, Ottawa, and Pota-  
 8748 watimies, agree to renew and confirm the treaty of Greenville,  
 8749 made in the year one thousand seven hundred and ninety-five,  
 8750 and all subsequent treaties to which they were, respectively,  
 8751 parties, and the same are hereby again ratified and confirmed  
 8752 in as full a manner as if they were inserted in this treaty.

8753 Ratified Dec. 26, 1815.

8754 *Articles of a treaty made and concluded, at the foot of the rapids*  
 8755 *of the Miami of Lake Erie, between Lewis Cass and Duncan*  
 8756 *McArthur, commissioners of the United States, with full power*  
 8757 *and authority to hold conferences, and conclude and sign a treaty*  
 8758 *or treaties with all or any of the tribes or nations of Indians*  
 8759 *within the boundaries of the State of Ohio, of and concerning*  
 8760 *all matters interesting to the United States and the said nations*  
 8761 *of Indians, on the one part ; and the sachems, chiefs, and war-*  
 8762 *riors of the Wyandot, Seneca, Delaware, Shawanese, Pota-*  
 8763 *watomees, Ottawas, and Chippeway tribes of Indians.*

8764 ARTICLE 1. The Wyandot tribe of Indians, in consideration  
 8765 of the stipulations herein made on the part of the United States.  
 8766 do hereby forever cede to the United States the lands compre-  
 8767 hended within the following lines and boundaries: Beginning  
 8768 at a point on the southern shore of Lake Erie, where the present  
 8769 Indian boundary-line intersects the same, between the mouth of  
 8770 Sandusky Bay and the mouth of Portage River; thence running  
 8771 south with said line, to the line established in the year one thou-  
 8772 sand seven hundred and ninety-five, by the treaty of Greenville,  
 8773 which runs from the crossing-place above Fort Lawrence to  
 8774 Loramie's store; thence westerly, with the last-mentioned line.  
 8775 to the eastern line of the reserve at Loramie's store; thence with  
 8776 the lines of said reserve, north and west, to the northwestern  
 8777 corner thereof; thence to the northwestern corner of the reserve  
 8778 on the river St. Mary's, at the head of the navigable waters  
 8779 thereof; thence east, to the western bank of the St. Mary's  
 8780 River aforesaid; thence down on the western bank of the said  
 8781 river, to the reserve at Fort Wayne; thence with the lines of  
 8782 the last-mentioned reserve, easterly and northerly, to the north  
 8783 bank of the river Miami of Lake Erie; thence down on the north  
 8784 bank of the said river, to the western line of the land ceded to  
 8785 the United States by the treaty of Detroit in the year one thou-  
 8786 sand eight hundred and seven; thence with the said line south,  
 8787 to the middle of said Miami River, opposite the mouth of the  
 8788 Great Auglaize River; thence down the middle of said Miami

8789 River, and easterly with the lines of the tract ceded to the United  
8790 States by the treaty of Detroit aforesaid, so far that a south line  
8791 will strike the place of beginning.

8792 ARTICLE 2. The Potawatomy, Ottawas, and Chippeway  
8793 tribes of Indians, in consideration of the stipulations herein  
8794 made on the part of the United States, do hereby forever cede  
8795 to the United States the land comprehended within the follow-  
8796 ing lines and boundaries: Beginning where the western line of  
8797 the State of Ohio crosses the river Miami of Lake Erie, which is  
8798 about twenty-one miles above the mouth of the Great Auglaize  
8799 River; thence down the middle of the said Miami River, to a  
8800 point north of the mouth of the Great Auglaize River; thence  
8801 with the western line of the land ceded to the United States by  
8802 the treaty of Detroit, in one thousand eight hundred and seven,  
8803 north forty-five miles; then west, so far that a line south will  
8804 strike the place of beginning; thence south to the place of  
8805 beginning.

8806 ARTICLE 3. The Wyandot, Seneca, Delaware, Shawnese,  
8807 Potawatomy, Ottawas, and Chippeway tribes of Indians accede  
8808 to the cessions mentioned in the two preceding articles.

8809 ARTICLE 4. In consideration of the cessions and recogni-  
8810 tions stipulated in the three preceding articles, the United States  
8811 agree to pay to the Wyandot tribe, annually, forever, the sum of  
8812 four thousand dollars, in specie, at Upper Sandusky. To the  
8813 Seneca tribe, annually, forever, the sum of five hundred dollars,  
8814 in specie, at Lower Sandusky. To the Shawnese tribe, annually,  
8815 forever, the sum of two thousand dollars, in specie, at Wapagh-  
8816 konetta. To the Potawatomy tribe, annually, for the term of  
8817 fifteen years, the sum of one thousand three hundred dollars, in  
8818 specie, at Detroit. To the Ottawas tribe, annually, for the term  
8819 of fifteen years, the sum of one thousand dollars, in specie, at  
8820 Detroit. To the Chippewa tribe, annually, for the term of fifteen  
8821 years, the sum of one thousand dollars, in specie, at Detroit.  
8822 To the Delaware tribe, in the course of the year one thousand  
8823 eight hundred and eighteen, the sum of five hundred dollars, in  
8824 specie, at Wapaghkonetta, but no annuity. And the United  
8825 States also agree that all annuities due by any former treaty  
8826 to the Wyandot, Shawnese, and Delaware tribes, and the an-  
8827 nuity due by the treaty of Greenville to the Ottawas and Chip-  
8828 pewas tribes, shall be paid to the said tribes, respectively, in  
8829 specie.

8830 ARTICLE 5. The schedule hereunto annexed is to be taken  
8831 and considered as a part of this treaty; and the tracts herein  
8832 stipulated to be granted to the Wyandot, Seneca, and Shaw-  
8833 nese tribes of Indians are to be granted for the use of the

8834 persons mentioned in the said schedule, agreeably to the de-  
 8835 scriptions, provisions, and limitations therein contained.

8836 ARTICLE 6. The United States agree to grant, by patent, in  
 8837 fee simple, to Doanquod, Howoner, Rontondee, Tauyau, Ronta-  
 8838 yan, Dawatont, Manocue, Tauyandautauson, and Haudaunwaugh,  
 8839 chiefs of the Wyandot tribe, and their successors in office, chiefs  
 8840 of the said tribe, for the use of the persons and for the pur-  
 8841 poses mentioned in the annexed schedule, a tract of land twelve  
 8842 miles square, at Upper Sandusky, the centre of which shall be  
 8843 the place where Fort Ferree stands; and also a tract of one mile  
 8844 square, to be located where the chiefs direct, on a cranberry  
 8845 swamp, on Broken Sword Creek, and to be held for the use of  
 8846 the tribe.

8847 The United States also agree to grant, by patent, in fee  
 8848 simple, to Tahawmadoyaw, Captain Harris, Isahownusay, Joseph  
 8849 Tawgyou, Captain Smith, Coffee-House, Running About, and  
 8850 Wiping Stick, chiefs of the Seneca tribe of Indians, and their  
 8851 successors in office, chiefs of the said tribe, for the use of the  
 8852 persons mentioned in the annexed schedule, a tract of land, to  
 8853 contain thirty thousand acres, beginning on the Sandusky River,  
 8854 at the lower corner of the section hereinafter granted to William  
 8855 Spicer; thence down the said river on the east side, with the  
 8856 meanders thereof, at high-water mark, to a point east of the  
 8857 mouth of Wolf Creek; thence, and from the beginning, east,  
 8858 so far that a north line will include the quantity of thirty thou-  
 8859 sand acres aforesaid.

8860 The United States also agree to grant, by patent in fee  
 8861 simple, to Catewekesa or Black Hook, Byaseka or Wolf, Pomthe  
 8862 or Walker, Shemenetoo or Big Snake, Othawakeseka or Yellow  
 8863 Feather, Chakalowah or the Tail's End, Pemthala or John  
 8864 Perry, Wabepee or White Colour, chiefs of the Shawnese tribe,  
 8865 residing at Wapaghkonetta, and their successors in office, chiefs  
 8866 of the said tribe, residing there, for the use of the persons  
 8867 mentioned in the annexed schedule, a tract of land ten miles  
 8868 square, the center of which shall be the council-house at Wapagh-  
 8869 konetta.

8870 The United States also agree to grant, by patent in fee  
 8871 simple, to Peeththa or Falling Tree, and to Onowaskemo or the  
 8872 Resolute Man, chiefs of the Shawnese tribes, residing on Hog  
 8873 Creek, and their successors in office, chiefs of the said tribe, re-  
 8874 siding there, for the use of the persons mentioned in the annexed  
 8875 schedule, a tract of land containing twenty-five square miles,  
 8876 which is to join the tract granted at Wapaghkonetta, and to in-  
 8877 clude the Shawnee Settlement, on Hog Creek, and to be laid off  
 8878 as nearly as possible in a square form.

8879 The United States also agree to grant, by patent in fee sim-

8880 ple, to Quatawape or Captain Lewis, Shekaghela or Turtle,  
 8881 Skilowa or Robin, chiefs of the Shawnese tribe of Indians re-  
 8882 siding at Lewistown, and to Mesomea or Civil John, Wakawux-  
 8883 sheno or the White Man, Oquesheno or Joe, and Willaquasheno  
 8884 or When you are tired sit down, chiefs of the Seneca tribe of  
 8885 Indians residing at Lewistown, and to their successors in office,  
 8886 chiefs of the said Shawnese and Seneca tribes, for the use of the  
 8887 persons mentioned in the annexed schedule, a tract of land to  
 8888 contain forty-eight square miles, to begin at the intersection of  
 8889 the line run by Charles Roberts, in the year one thousand eight  
 8890 hundred and twelve, from the source of the Little Miami River  
 8891 to the source of the Sciota River, in pursuance of instructions  
 8892 from the commissioners appointed on the part of the United  
 8893 States, to establish the western boundary of the Virginia Mili-  
 8894 tary Reservation, with the Indian boundary-line established by  
 8895 the treaty of Greenville, in one thousand seven hundred and  
 8896 ninety-five, from the crossings above Fort Lawrance to Loramie's  
 8897 store, and to run from such intersection, northerly, with the  
 8898 first mentioned line, and westerly, with the second mentioned  
 8899 line, so as to include the quantity as nearly in a square form as  
 8900 practicable, after excluding the section of land hereinafter  
 8901 granted to Nancy Stewart.

8902 There shall also be reserved for the use of the Ottawas In-  
 8903 dians, but not granted to them, a tract of land on Blanchard's  
 8904 fork of the Great Auglaize River, to contain five miles square,  
 8905 the centre of which tract is to be where the old trace crosses  
 8906 the said fork, and one other tract, to contain three miles square,  
 8907 on the Little Auglaize River, to include Oquanoxa's village.

8908 ARTICLE 7. And the said chiefs or their successors may, at  
 8909 any time they may think proper, convey to either of the persons  
 8910 mentioned in the said schedule, or his heirs, the quantity se-  
 8911 cured thereby to him, or may refuse so to do. But the use of  
 8912 the said land shall be in the said person; and after the share of  
 8913 any person is conveyed by the chiefs to him, he may convey the  
 8914 same to any person whatever. And any one entitled by the  
 8915 said schedule to a portion of the said land, may, at any time,  
 8916 convey the same to any person, by obtaining the approbation of  
 8917 the President of the United States, or of the person appointed  
 8918 by him to give such approbation. And the agent of the United  
 8919 States shall make an equitable partition of the said share when  
 8920 conveyed.

8921 ARTICLE 8. At the special request of the said Indians, the  
 8922 United States agree to grant by patent in fee simple, to the  
 8923 persons hereinafter mentioned, all of whom are connected with  
 8924 the said Indians, by blood or adoption, the tracts of land herein  
 8925 described :

8926 To Elizabeth Whitaker, who was taken prisoner by the  
 8927 Wyandots, and has ever since lived among them, twelve hun-  
 8928 dred and eighty acres of land, on the west side of the Sandusky  
 8929 River, below Croghansville, to be laid off in a square form, as  
 8930 nearly as the meanders of the said river will admit, and to run  
 8931 an equal distance above and below the house in which the said  
 8932 Elizabeth Whitaker now lives.

8933 To Robert Armstrong, who was taken prisoner by the In-  
 8934 dians, and has ever since lived among them, and has married a  
 8935 Wyandot woman, one section, to contain six hundred and forty  
 8936 acres of land, on the west side of the Sandusky River, to begin  
 8937 at the place called Camp Ball, and to run up the river, with the  
 8938 meanders thereof, one hundred and sixty poles, and from the  
 8939 beginning, down the river, with the meanders thereof, one hun-  
 8940 dred and sixty poles, and from the extremity of these lines west  
 8941 for quantity.

8942 To the children of the late William M'Collock, who was  
 8943 killed in August, one thousand eight hundred and twelve, near  
 8944 Maugaugon, and who are quarter-blood Wyandot Indians, one  
 8945 section, to contain six hundred and forty acres of land, on the  
 8946 west side of the Sandusky River, adjoining the lower line of the  
 8947 tract hereby granted to Robert Armstrong, and extending in the  
 8948 same manner with and from the said river.

8949 To John Vanmeter, who was taken prisoner by the Wyandots,  
 8950 and who has ever since lived among them, and has married a Seneca woman, and to his wife's three brothers, Senecas,  
 8951 who now reside on Honey Creek, one thousand acres of land,  
 8952 to begin north, forty-five degrees west, and one hundred and  
 8953 forty poles from the house in which the said John Vanmeter  
 8954 now lives, and to run thence south three hundred and twenty  
 8955 poles, thence and from the beginning east for quantity.

8957 To Sarah Williams, Joseph Williams, and Rachel Nugent,  
 8958 late Rachel Williams, the said Sarah having been taken prisoner  
 8959 by the Indians, and ever since lived among them, and being the  
 8960 widow, and the said Joseph and Rachel being the children, of  
 8961 the late Isaac Williams, a half-blood Wyandot, one quarter-section of land, to contain one hundred and sixty acres, on the  
 8962 east side of the Sandusky River, below Croghansville, and to  
 8963 include their improvements at a place called Negro Point.

8965 To Catharine Walker, a Wyandot woman, and to John R.  
 8966 Walker, her son, who was wounded in the service of the United  
 8967 States, at the battle of Maugaugon, in one thousand eight hundred and twelve, a section of six hundred and forty acres of  
 8968 land each, to begin at the northwestern corner of the tract  
 8969 hereby granted to John Vanmeter and his wife's brothers, and  
 8970

8971 to run with the line thereof south three hundred and twenty  
8972 poles, thence and from the beginning west for quantity.

8973 To William Spicer, who was taken prisoner by the Indians,  
8974 and has ever since lived among them, and has married a Seneca  
8975 woman, a section of land, to contain six hundred and forty  
8976 acres, beginning on the east bank of the Sandusky River, forty  
8977 poles below the corner of said Spicer's corn-field, thence up the  
8978 river on the east side, with the meanders thereof, one mile,  
8979 thence and from the beginning east for quantity.

8980 To Nancy Stewart, daughter of the late Shawnese chief  
8981 Blue Jacket, one section of land, to contain six hundred and  
8982 forty acres, on the Great Miami River below Lewistown, to in-  
8983 clude her present improvements, three quarters of the said sec-  
8984 tion to be on the southeast side of the river, and one quarter on  
8985 the northwest side thereof.

8986 To the children of the late Shawnese chief Captain Logan,  
8987 or Spamagelabe, who fell in the service of the United States  
8988 during the late war, one section of land, to contain six hundred  
8989 and forty acres, on the east side of the Great Auglaize River,  
8990 adjoining the lower line of the grant of ten miles at Wapagh-  
8991 konetta and the said river.

8992 To Anthony Shane, a half blood Ottawas Indian, one sec-  
8993 tion of land, to contain six hundred and forty acres, on the east  
8994 side of the river St. Mary's, and to begin opposite the house in  
8995 which the said Shane now lives, thence up the river, with the  
8996 meanders thereof, one hundred and sixty poles, and from the  
8997 beginning down the river, with the meanders thereof, one  
8998 hundred and sixty poles, and from the extremity of the said  
8999 lines east for quantity.

9000 To James M'Pherson, who was taken prisoner by the  
9001 Indians, and has ever since lived among them, one section of  
9002 land, to contain six hundred and forty acres, in a square form,  
9003 adjoining the northern or western line of the grant of forty-  
9004 eight miles at Lewistown, at such place as he may think proper  
9005 to locate the same.

9006 To Horonu or the Cherokee Boy, a Wyandot chief, a sec-  
9007 tion of land, to contain six hundred and forty acres, on the  
9008 Sandusky River, to be laid off in a square form, and to include  
9009 his improvements.

9010 To Alexander D. Godfroy and Richard Godfroy, adopted  
9011 children of the Potawatomy tribe, and at their special request,  
9012 one section of land, to contain six hundred and forty acres, in  
9013 the tract of country herein ceded to the United States by the  
9014 Potawatomy, Ottawas, and Chippewas tribes, to be located by  
9015 them, the said Alexander and Richard, after the said tract shall  
9016 have been surveyed.

9017 To Sawendebans or the Yellow Hair or Peter Minor, an  
 9018 adopted son of Tondaganie or the Dog, and at the special  
 9019 request of the Ottawas, out of the tract reserved by the treaty  
 9020 of Detroit, in one thousand eight hundred and seven, above  
 9021 Roche de Bœuf, at the village of the said Dog, a section of land,  
 9022 to contain six hundred and forty acres, to be located in a square  
 9023 form, on the north side of the Miami, at the Wolf Rapid.

9024 ARTICLE 9. The United States engage to appoint an agent,  
 9025 to reside among or near the Wyandots, to aid them in the pro-  
 9026 tection of their persons and property, to manage their inter-  
 9027 course with the Government and citizens of the United States,  
 9028 and to discharge the duties which commonly appertain to the  
 9029 office of Indian agent; and the same agent is to execute the  
 9030 same duties for the Senecas and Delawares on the Sandusky  
 9031 River. And an agent for similar purposes, and vested with  
 9032 similar powers, shall be appointed to reside among or near the  
 9033 Shawnese, whose agency shall include the reservations at  
 9034 Wapaghkonetta, at Lewistown, at Hog Creek, and at Blanchard's  
 9035 Creek. And one mile square shall be reserved at Malake for the  
 9036 use of the agent for the Shawnese.

9037 And the agent for the Wyandots and Senecas shall occupy  
 9038 such land in the grant at Upper Sandusky as may be necessary  
 9039 for him and the persons attached to the agency.

9040 ARTICLE 10. The United States engage to erect a saw-mill  
 9041 and a grist-mill, upon some proper part of the Wyandot reser-  
 9042 vation, for their use, and to provide and maintain a blacksmith,  
 9043 for the use of the Wyandots and Senecas, upon the reservation  
 9044 of the Wyandots, and another blacksmith, for the use of the  
 9045 Indians at Wapaghkonetta, Hog Creek, and Lewistown.

9046 ARTICLE 11. The stipulations contained in the treaty of  
 9047 Greenville, relative to the right of the Indians to hunt upon the  
 9048 land hereby ceded, while it continues the property of the United  
 9049 States, shall apply to this treaty; and the Indians shall for the  
 9050 same term enjoy the privilege of making sugar upon the same  
 9051 land, committing no unnecessary waste upon the trees.

9052 ARTICLE 12. The United States engage to pay, in the  
 9053 course of the year one thousand eight hundred and eighteen,  
 9054 the amount of the damages which were assessed by the  
 9055 authority of the Secretary of War, in favour of several tribes  
 9056 and individuals of the Indians, who adhered to the cause of  
 9057 the United States during the late war with Great Britain, and  
 9058 whose property was, in consequence of such adherence, injured  
 9059 or destroyed. And it is agreed that the sums thus assessed  
 9060 shall be paid in specie, at the places, and to the tribes or indi-  
 9061 viduals hereinafter mentioned, being in conformity with the said  
 9062 assessment, that is to say:

9063 To the Wyandots, at Upper Sandusky, four thousand three  
9064 hundred and nineteen dollars and thirty-nine cents.

9065 To the Senecas, at Lower Sandusky, three thousand nine  
9066 hundred and eighty-nine dollars and twenty-four cents.

9067 To the Indians at Lewis and Scoutashs towns, twelve hun-  
9068 dred and twenty-seven dollars and fifty cents.

9069 To the Delawares, for the use of the Indians who suffered  
9070 losses at Greentown and at Jerome's town, three thousand nine  
9071 hundred and fifty-six dollars and fifty cents, to be paid at Wa-  
9072 paghkonetta.

9073 To the representatives of Hembis, a Delaware Indian, three  
9074 hundred and forty-eight dollars and fifty cents, to be paid at  
9075 Wapaghkonetta.

9076 To the Shawnese, an additional sum of four hundred and  
9077 twenty dollars, to be paid at Wapaghkonetta.

9078 To the Senecas, an additional sum of two hundred and  
9079 nineteen dollars, to be paid at Wapaghkonetta.

9080 ARTICLE 13. And whereas the sum of two thousand five  
9081 hundred dollars has been paid by the United States to the  
9082 Shawnese, being one-half of five years' annuities due by the  
9083 treaty of Fort Industry, and whereas the Wyandots contend  
9084 that the whole of the annuity secured by that treaty is to be  
9085 paid to them and a few persons of the Shawnese and Senecas  
9086 tribes; now, therefore, the commissioners of the United States,  
9087 believing that the construction given by the Wyandots to the  
9088 said treaty is correct, engage that the United States shall pay  
9089 to the said Wyandot tribe, in specie, in the course of the year  
9090 one thousand eight hundred and eighteen, the said sum of two  
9091 thousand five hundred dollars.

9092 ARTICLE 14. The United States reserve to the proper  
9093 authority the right to make roads through any part of the land  
9094 granted or reserved by this treaty; and also to the different  
9095 agents the right of establishing taverns and ferries for the ac-  
9096 commodation of travelers, should the same be found necessary.

9097 ARTICLE 15. The tracts of land herein granted to the chiefs  
9098 for the use of the Wyandot, Shawnese, Seneca, and Delaware  
9099 Indians, and the reserve for the Ottawa Indians, shall not be  
9100 liable to taxes of any kind so long as such land continues the  
9101 property of the said Indians.

9102 ARTICLE 16. Some of the Ottawa, Chippewa, and Pota-  
9103 watomy tribes being attached to the Catholick religion, and be-  
9104 lieving they may wish some of their children hereafter educated,  
9105 do grant to the rector of the Catholick church of St. Anne, of De-  
9106 troit, for the use of the said church, and to the corporation of  
9107 the college at Detroit for the use of the said college, to be re-  
9108 tained or sold, as the said rector and corporation may judge ex-

9109 pedient, each one-half of three sections of land, to contain six  
 9110 hundred and forty acres, on the river Raisin, at a place called  
 9111 Macon, and three sections of land not yet located, which tracts  
 9112 were reserved for the use of the said Indians by the treaty of  
 9113 Detroit in one thousand eight hundred and seven; and the su-  
 9114 perintendent of Indian affairs in the territory of Michigan is  
 9115 authorized, on the part of the said Indians, to select the said  
 9116 tracts of land.

9117 ARTICLE 17. The United States engage to pay to any of  
 9118 the Indians the value of any improvements which they may be  
 9119 obliged to abandon in consequence of the lines established by  
 9120 this treaty.

9121 ARTICLE 18. The Delaware tribe of Indians, in considera-  
 9122 tion of the stipulations herein made on the part of the United  
 9123 States, do hereby forever cede to the United States all the claim  
 9124 which they have to the thirteenth sections of land reserved for  
 9125 the use of certain persons of their tribe, by the second section  
 9126 of the act of Congress, passed March the third, one thousand  
 9127 eight hundred and seven, providing for the disposal of the lands  
 9128 of the United States between the United States Military Tract  
 9129 and the Connecticut Reserve, and the lands of the United States  
 9130 between the Cincinnatti and Vincennes districts.

9131 ARTICLE 19. The United States agree to grant, by patent in  
 9132 fee simple, to Zeeshawau or James Armstrong, and to Sanon-  
 9133 doyourayquaw or Silas Armstrong, chiefs of the Delaware In-  
 9134 dians, living on the Sandusky waters, and their successors in  
 9135 office, chiefs of the said tribe, for the use of the persons men-  
 9136 tioned in the annexed schedule, in the same manner, and subject  
 9137 to the same conditions, provisions, and limitations as is herein-  
 9138 before provided for the lands granted to the Wyandot, Seneca,  
 9139 and Shawnese Indians, a tract of land, to contain nine square  
 9140 miles, to join the tract granted to the Wyandots of twelve miles  
 9141 square, to be laid off as nearly in a square form as practicable,  
 9142 and to include Captain Pipe's village.

9143 ARTICLE 20. The United States also agree to grant, by  
 9144 patent, to the chiefs of the Ottawas tribe of Indians, for the use  
 9145 of the said tribe, a tract of land, to contain thirty-four square  
 9146 miles, to be laid out as nearly in a square form as practicable,  
 9147 not interfering with the lines of the tracts reversed by the treaty  
 9148 of Greenville on the south side of the Miami River of Lake Erie,  
 9149 and to include Tushquegan, or M'Carty's village; which tracts,  
 9150 thus granted, shall be held by the said tribe, upon the usual  
 9151 conditions of Indian reservations, as though no patent were  
 9152 issued.

9153 ARTICLE 21. This treaty shall take effect, and be obligatory

9154 on the contracting parties, as soon as the same shall have been  
 9155 ratified by the President of the United States, by and with the  
 9156 advice and consent of the Senate thereof.

9157 Proclaimed January 4, 1819.

9158 *Schedule referred to in the foregoing treaty, and to be taken and*  
 9159 *considered as part thereof.*

9160 Three sections, to contain six hundred and forty acres each,  
 9161 are to be reserved out of the tract of twelve miles square to be  
 9162 granted to the Wyandots. One of the said sections is to be ap-  
 9163 propriated to the use of a missionary, one for the support of  
 9164 schools, and one for the support of mechanics, and to be under  
 9165 the direction of the chiefs. Two sections, of six hundred and  
 9166 forty acres each, are to be granted to each of the following per-  
 9167 sons, being the chief of the Wyandot tribe, and his six coun-  
 9168 sellers, namely: Doonquod or half king; Routoudu or War-  
 9169 pole; Tawyaumontoyou or Between the logs; Dawatout or John  
 9170 Hicks; Manocue or Thomas; Sauyoudautausaw or George Ruuh;  
 9171 and Hawdownuwaugh or Matthews.

9172 And, after deducting the fifteen sections thus to be disposed  
 9173 of, the residue of the said tract of twelve miles square is to be  
 9174 equally divided among the following persons, namely: Hoocue,  
 9175 Roudootouk, Mahoma, Naaton, Mautanawto, Maurunquaws,  
 9176 Naynuhanky, Abrm. Williams, sen., Squautauh, Tawyouranuta,  
 9177 Tahawquevouws, Dasharows, Trayhetou, Hawtooyou, Maydoun-  
 9178 aytove, Neudooslau, Deecalrautousay, Houtooyemaugh, Datoo-  
 9179 wawna, Matsaye-aanyourie, James Ranken, Sentumass, Tahau-  
 9180 toshowweda, Madudara, Shaudauaye, Shamadeesay, Sommodo-  
 9181 wot, Moautaan, Nawsottomaugh, Maurawskinquaws, Tawtoo-  
 9182 lowme, Shawdouyeayourou, Showweno, Dashoree, Sennewdorow,  
 9183 Toayttooraw, Mawskattaugh, Tahawshodeuysa, Haunarawreu-  
 9184 dee, Shauromou, Tawyaumontoreyea, Roumelay, Nadocays, Car-  
 9185 ryumandentaugh, Bigarms, Madonrawcays, Haurauoot, Syhrun-  
 9186 dash, Tahorowtsemdee, Roosayn, Dautoresay, Nashawtoomous,  
 9187 Skawduutoutee, Sanorowsha, Nautennee, Youausha, Aumatou-  
 9188 row, Ohoutautoon, Tawyougaustayou, Sootonteeree, Dootooan,  
 9189 Hawreewaucudee, Yourahatsa, Towntoreshaw, Syuwewataugh,  
 9190 Cauyou, Omiztsehaw, Gausawaugh, Skashowayssquaw, Maw-  
 9191 dovdo, Narowayshaus, Nawcatay, Isuhowhayeato, Myatousha,  
 9192 Tauoodowma, Youhreo, George Williams, Oharvatoy, Saharos-  
 9193 sor, Isaac Williams, Sqindatee, Mayeatohot, Lewis Coon, Isa-  
 9194 touque or John Coon, Tawaumanocay or E. Wright, Owawtatuu,  
 9195 Isontraudee, Tomatsahoss, Sarrahoss, Tawyoureehoryeow, Sau-  
 9196 dotoss, Toworordu or Big Ears, Tauomatsarau, Tahoroudoyou  
 9197 or Two, Daureehau, Dauoreenu, Trautohauweetough, Yourow-

9198 quains or the widow of the Crane, Caunaytoma, Hottomorrow,  
 9199 Taweesho, Dauquausay, Toumou, Hoogaudoorow, Newdeetou-  
 9200 tow, Dawhowhouk, Daushouteehawk, Sawaronuis, Norrorow-  
 9201 Tawwass, Tawareroons, Neshaustay, Toharriatough, Taurowto-  
 9202 tucawaa, Youshindauryato, Taosanays, Sadowerrais, Isanowtow,  
 9203 touk or Fox Widow, Sauratoudo or William Zane, Hayanoise or  
 9204 Ebenezer Zane, Mawcasharrow or widow M'Cullock, Susannah,  
 9205 Teshawtaugh, Bawews, Tamataurank, Razor, Rahisais, Cudee-  
 9206 tore, Shawnetaurew, Tattrarow, Cuqua, Yourowon, Saunyouna-  
 9207 kra, Tanorawayout, Howenquawdorow, Gooyeamee, Dautsaqua,  
 9208 Maudamu, Sanoreeshoe, Hauleeyetausay, Gearoohee, Matosk-  
 9209 rawtouk, Dawweeshoe, Sawyourawot, Nacudseoranaurayk,  
 9210 Youronurays, Scoutash, Serroymuch, Hoondeshotch, Ishuskeah,  
 9211 Dusharraw, Ondewaus, Deyewtale, Roueyoutacolo, Hoonorow-  
 9212 youtacob, Howorowduro, Nawanaunonelo, Tolhomanona, Chiya-  
 9213 mik, Tyreakwheunohale, Aushewhowole, Schowondashres, Mon-  
 9214 dushawquaw, Tayoudrakele, Giveriabes, Sootreeshuskoh, Su-  
 9215 youturaw, Tiudee, Tahorroshoquaw, Irahkasquaw, Ishoreameu-  
 9216 suwat, Curoweyottell, Noriyettete, Siyarech, Testeatete.

9217 The thirty thousand acres of land for the Senecas upon the  
 9218 Sandusky River, is to be equally divided among the following  
 9219 persons, namely : Syuwasautau, Nawwene, Joseph, Iseumetaugh  
 9220 or Picking up a club, Orawhaotodie or Turn over, Saudaurous  
 9221 or Split the river, Tahowtoorains or Jo Smee, Ispomduare, Yel-  
 9222 low-bay, Dashowrowramou or Drifting sand, Hauautouasquas,  
 9223 Hamyautuhow, Tahocayn, Howdautauyeao or King George,  
 9224 Standing Bones, Cyahaga or Fisher, Suthemoore, Red Skin, Men-  
 9225 tauteehoore, Hyanaashraman, or Knife in his hand, Running About,  
 9226 John Smith, Carrying the Basket, Cauwauay or Striking, Rewau-  
 9227 yeato or Carrying the news, Half up the Hill, Trowyoudoys or  
 9228 G. Hunter, Spike Buck, Caugooshow or Clearing up, Mark on  
 9229 his Hip, Captain Hams, Isetaune or Crying often, Taunerowya  
 9230 or Two companies, Haudonwauays or Stripping the river, Iso-  
 9231 hahasay, or Tall chief, Tahowmandoyou, Howyouway or Pad-  
 9232 dling, Clouding up, Youwautowtoyoun or Burnt his body, She-  
 9233 tonyouwee or Sweet foot, Tauhaugainstoany or Holding his  
 9234 hand about, Oharrawtodee or Turning over, Haucamarout,  
 9235 Sarrowsauismatare or Striking sword, Sadudeto, Oshoutoy, or  
 9236 Burning berry, Hard Hickory, Curetsctau, Youronocay or  
 9237 Isaac, Youtradowwonlee, Newtauyaro, Tayouonte or Old foot,  
 9238 Taosanetee, Syunout or Give it to her, Doonstough, or Hunch  
 9239 on his forehead, Tyaudusout or Joshua Hendricks, Taushaus,  
 9240 haurow or Cross the arms, Henry, Youwaydaueya or the Island-  
 9241 Armstrong, Shake the Ground, His Neck Down, Youbeno, Towot-  
 9242 oyoudo or Looking at her, Captain Smith, Tobacco, Standing Stone,  
 9243 Ronunaise or Wiping stick, Tarsduhatse or Large bones, Ham-

9244 anchagave, House-Fly or Maggot, Roudouma or Sap running,  
 9245 Big Belt, Cat Bone, Sammy, Taongauats or Round the point,  
 9246 Ramuye or Hold the sky, Mentoududu, Hownotant, Slippery  
 9247 nose, Tauslowquowsay or Twenty wives, Hoogaurow or Mad  
 9248 man, Coffee-house, Long Hair.

9249 The tract of ten miles square at Wapaghkonetta is to be  
 9250 equally divided among the following persons, namely: The Black  
 9251 Hoof, Pomthe or Walker, Piaseka or Wolf, Shemenutu or Snake,  
 9252 Ohtawakeseka or Yellow feather, Penethata or Perry, Chacalaway  
 9253 or the End of the tail, Quitawee or war chief, Sachachewa,  
 9254 Waseweela, Wassewela or Bright horn, Othawsa or Yellow,  
 9255 Tepetoseka, Caneshemo, Newabetucka, Cawawescucka, Thokut-  
 9256 chema, Setakosheka, Topee or James Saunders, Meshenewa,  
 9257 Tatiape, Pokechaw, Alawaymotakah, Lalloway or Perry, Wab-  
 9258 emee, Nemekoshe, Nenepemeshequa or Cornstalk, Sheshe, Sha-  
 9259 wabaghke, Naneskaka, Thakoska or David M'Nair, Skapakake,  
 9260 Shapoquata, Peapakseka, Quaghquona, Quotowame, Nitasheka,  
 9261 Thakaska or Spy buck, Pekathchseka, Tewaskoota or James Blue  
 9262 Jacket, Calawesa, Quaho, Kaketchheka or W. Perry, Swapee,  
 9263 Peckto or Davy Baker, Skokapowa or George M'Dougall, Che-  
 9264 pakosa, Shemay or Sam, Chiakoska or Captain Tom, General  
 9265 Wayne, Thaway, Othawee, Weeasesaka or Captain Reed, Lew-  
 9266 aytaka, Tegoshea or George, Skekacumsheka, Wesheshemo,  
 9267 Mawenatcheka, Quashke, Thaswa, Baptiste, Waywalapee, Pes-  
 9268 hequkame, Chakalakee or Tom, Keywaypee, Egotacumshe-  
 9269 qua, Wabepee, Aquashequa, Pemotah, Nepaho, Takepee, Topo-  
 9270 sheka, Lathawanomo, Sowaghkota or Yellow clouds, Meenke-  
 9271 sheka, Asheseka, Ochipway, Thapaeka, Chakata, Nakacheka,  
 9272 Thathouakata, Paytokothe, Palaske, Shesheloo, Quanaqua, Kal-  
 9273 koo, Toghshena, Capowa, Ethowakosee, Quaquesha, Capea, Tha-  
 9274 katcheway, The man going up hill, Magotha, Tecumtequa, Sete-  
 9275 pakothe, Kekentha, Shiatwa, Shiabwasson, Koghkela, Akopee  
 9276 or a Heap of any thing, Lamatothe, Keshu, Pankoor, Peitehtha-  
 9277 tor or Peter, Metchepeleh, Capeah, Showagame, Wawaleepe-  
 9278 sheeka, Meewensheka, Nanemepahtoo or Trotter, Pamitchepetoo,  
 9279 Chalequa, Tetetee, Lesheshe, Nawabasheka or White feather,  
 9280 Skepakeskeshe, Tenakee, Shemaka, Pasheto, Thiatcheto, Metche-  
 9281 metche, Chacowa, Lawathska, Potchetee or the Man without a  
 9282 tail, Awabaneshekaw, Patacoma, Lamakesheka, Papashow,  
 9283 Weathaksheka, Pewaypee, Totah, Canaqua, Skepakutcheka,  
 9284 Welviesa, Kitahoe, Neentakoshe, Oshaishe, Chilosee, Quilaisha,  
 9285 Mawethaque, Akepee, Quelenee.

9286 The tract of five miles square, at Hog Creek, is to be  
 9287 equally divided among the following persons, namely: Peeth-  
 9288 tha, Onowashim, Pematheywa, Wabekesheke, Leeso, Poh-  
 9289 caywese, Shemagauashe, Nehquakahucka, Papaskootepa, Mea-  
 9290 mepetoo, Welawenaka, Petiska, Ketuckepe, Lawitchetee, Epau-

9291 mee, Chanacke, Jose, Lanawtucka, Shawaynaka, Wawatashewa,  
 9292 Ketaksosa, Shashekopeak, Lakose, Quinaska.

9293 The tract of forty-eight square miles, including Lewistown, is  
 9294 to be equally divided among the following persons, namely:  
 9295 *Shawnoese*—Colonel Lewis, Polly Kizer, Theuetesepeuah or Weed,  
 9296 Calossete, Vamauweke, Waucunsee, Skitlewa, Nayabepe, Wo-  
 9297 sheta, Nopamago, Willesque, Salock, Walathe, Silversmith,  
 9298 Siatha, Toseluo, Jemmy McDonald, Jackson, Mohawk Thomas,  
 9299 Silverheels, John, Wewachee, Cassie, Atshena, Frenchman,  
 9300 Squesenau, Goohunt, Manwealte, Walisee, Billy, Thawwamee,  
 9301 Wopsquitty, Naywale, Big Turtle, Nolawat, Nawalippa, Razor,  
 9302 Blue, Tick, Nerer, Falling Star, Hale Clock, Hisosecock, Essqua-  
 9303 secto, Geore, Nuussome, Sauhanoc, Joseph, Scotowe, Battease,  
 9304 Crow, Shilling, Scotta, Nowpour, Nameawah, Quemanto, Snife,  
 9305 Captain, Taudetes, Sonrise, Sowget, Duettle Lew<sup>ash</sup> <sup>is</sup>,  
 9306 Jacquis, Tonaout, Swaunacou, General, Cussaboll, Bald, Crooked  
 9307 Stick, Wespata, Newasa, Garter, Porcupine, Pocaloche, Wo-  
 9308 cheque, Sawquaha, Enata, Panther, Colesetos, Joe. *Senecas*—  
 9309 Civil John, Wild Duck, Tall Man, Molasses, Ash, Nahanexa,  
 9310 Tasauk, Agusqueah, Roughleg, Quequesaw, Playful, Hairlip,  
 9311 Sieutinue, Hillnepewayataska, Taulhunsequa, Nynoa, Suchus-  
 9312 que, Leemutque, Treuse, Sequate, Caumecus, Scowneti, Tocon-  
 9313 dusque, Conhowdatwaw, Cowista, Nequatren, Cowhusted, Gill-  
 9314 was, Axtaea, Conawwehow, Sutteasee, Kiahoot, Crane, Silver,  
 9315 Bysaw, Crayfiste, Woollyhead, Conundahaw, Shacosaw, Coindos,  
 9316 Hutchequa, Nayau, Connodose, Coneseta, Nesluanta, Owl, Cou-  
 9317 auka, Cocheco, Couewash, Sinnecowacheckowe or Leek.

9318 The tract of three miles square for the Delaware Indians,  
 9319 adjoining the tract of twelve miles square upon the Sandusky  
 9320 River, is to be equally divided among the following persons,  
 9321 namely: Captain Pipe, Zeshauau or James Armstrong, Mahaw-  
 9322 too or John Armstrong, Sanowdoyeasquaw or Silas Armstrong,  
 9323 Teorow or Black Raccoon, Hawdorowwatistie or Billy Montour,  
 9324 Buck Wheat, William Dondee, Thomas Lyons, Johnny Cake,  
 9325 Captain Wolf, Isaac Hill, John Hill, Tishatahoones or widow  
 9326 Armstrong, Ayenucere, Hoomaurow or John Ming, Youdorast.

9327 CHIPPEWAS, MENOMONIES, AND WINEBAGOES.

9328 *Articles of a treaty made and concluded at the Butte des Morts, on*  
 9329 *Fox River, in the Territory of Michigan, between Lewis Cass*  
 9330 *and Thomas L. McKenney, commissioners on the part of the*  
 9331 *United States, and the Chippewa, Menomonic, and Winebago*  
 9332 *tribes of Indians.*

9333       ARTICLE 1. Whereas the southern boundary of the Chip-  
 9334       pewa country, from the Plover Portage of the Ouisconsin east-  
 9335       erly, was left undefined by the treaty concluded at Prairie du  
 9336       Chien, August 19, 1825, in consequence of the non-attendance  
 9337       of some of the principal Menomonie chiefs; and whereas it was  
 9338       provided by the said treaty that, whenever the President of the  
 9339       United States might think proper, such of the tribes, parties to  
 9340       the said treaty, as might be interested in any particular line,  
 9341       should be convened, in order to agree upon its establishment;

9342       Therefore, in pursuance of the said provision, it is agreed  
 9343       between the Chippewas, Menomonies, and Winebagoes, that the  
 9344       southern boundary of the Chippeway country shall run as fol-  
 9345       lows, namely: From the Plover Portage of the Ouisconsin, on  
 9346       a northeasterly course, to a point on Wolf River equidistant  
 9347       from the Ashawano and Post Lakes of said river, thence to the  
 9348       falls of the Pashaytig River, of Green Bay; thence to the junc-  
 9349       tion of the Neesau Kootag or Burnt-wood River, with the Meno-  
 9350       monie; thence to the big island of the Shoskinaubic or Smooth  
 9351       Rock River; thence following the channel of the said river to  
 9352       Green Bay, which it strikes between the Little and the Great  
 9353       Bay de Noquet.

9354       ARTICLE 2. Much difficulty having arising from the negoti-  
 9355       ations between the Menomonie and Winebago tribes and the  
 9356       various tribes and portions of tribes of Indians of the State of  
 9357       New York, and the claims of the respective parties being much  
 9358       contested, as well with relation to the tenure and boundaries of  
 9359       the two tracts claimed by the said New York Indians, west of  
 9360       Lake Michigan, as to the authority of the persons who signed  
 9361       the agreement on the part of the Menomonies, and the whole  
 9362       subject having been fully examined at the council this day con-  
 9363       cluded, and the allegations, proofs, and statements of the re-  
 9364       spective parties having been entered upon the journal of the  
 9365       commissioners, so that the same can be decided by the Presi-  
 9366       dent of the United States, it is agreed by the Menomonies and  
 9367       Winebagoes, that so far as respects their interest in the premises,  
 9368       the whole matter shall be referred to the President of the United  
 9369       States, whose decision shall be final. And the President is au-  
 9370       thorized, on their parts, to establish such boundaries between  
 9371       them and the New York Indians as he may consider equitable  
 9372       and just.

9373       ARTICLE 3. It being important to the settlement of Green  
 9374       Bay that definite boundaries should be established between the  
 9375       tract claimed by the former French and British governments,  
 9376       and the lands of the Indians, as well to avoid future disputes as  
 9377       to settle the question of jurisdiction, it is therefore agreed be-  
 9378       tween the Menomonie tribe and the United States, that the

9379 boundaries of the said tracts, the jurisdiction and title of which  
 9380 are hereby acknowledged to be in the United States, shall be  
 9381 as follows, namely: Beginning on the shore of Green Bay, six  
 9382 miles due north from the parallel of the mouth of Fox River,  
 9383 and running thence in a straight line, but with the general course  
 9384 of the said river, and six miles therefrom, to the intersection of the  
 9385 continuation of the westerly boundary of the tract at the Grand  
 9386 Kaukaulin, claimed by Augustin Grignon; thence on a line with  
 9387 the said boundary to the same; thence with the same to Fox  
 9388 River; thence on the same course, six miles; thence in a direct  
 9389 line to the southwestern boundary of the tract, marked on the  
 9390 plan of the claims at Green Bay, as the settlement at the bottom  
 9391 of the bay; thence with the southerly boundary of the said tract to  
 9392 the southeasterly corner thereof, and thence with the easterly  
 9393 boundary of the said tract to Green Bay. Provided, that if the  
 9394 President of the United States should be of opinion that the  
 9395 boundaries thus established interfere with any just claims of  
 9396 the New York Indians, the President may then change the said  
 9397 boundaries in any manner he may think proper, so that the  
 9398 quantity of land contained in the said tract be not greater than  
 9399 by the boundaries herein defined. And provided, also, that nothing  
 9400 herein contained shall be construed to have any effect upon  
 9401 the land-claims at Green Bay; but the same shall remain as  
 9402 though this treaty had not been formed.

9403 ARTICLE 4. In consideration of the liberal establishment of  
 9404 the boundaries, as herein provided for, the commissioners of the  
 9405 United States have this day caused to be distributed among  
 9406 the Indians goods to the amount of fifteen thousand six hun-  
 9407 dred and eighty-two dollars, payment for which shall be made  
 9408 by the United States.

9409 ARTICLE 5. The sum of one thousand dollars shall be annually  
 9410 appropriated for the term of three years, and the sum of fifteen  
 9411 hundred dollars shall be annually thereafter appropriated as  
 9412 long as Congress think proper, for the education of the children  
 9413 of the tribes, parties hereto, and of the New York Indians, to  
 9414 be expended under the direction of the President of the United  
 9415 States.

9416 ARTICLE 6. The United States shall be at liberty, notwith-  
 9417 standing the Winebagoes are parties to this treaty, to pursue  
 9418 such measures as they may think proper for the punishment of  
 9419 the perpetrators of the recent outrages at Prairie du Chien, and  
 9420 upon the Mississippi, and for the prevention of such acts here-  
 9421 after.

9422 ARTICLE 7. This treaty shall be obligatory after its ratifi-  
 9423 cation by the President and Senate of the United States. Pro-

9424 vided, That the said treaty shall not impair or affect any right  
 9425 or claim which the New York Indians or any of them have to  
 9426 the lands or any of the lands mentioned in the said treaty."

9427 Proclaimed February 23, 1829.

9428

# CHIPPEWAS—PILLAGER BAND.

9429 *Articles of a treaty made and concluded at Leech Lake on the twenty-*  
 9430 *first day of August, in the year one thousand eight hundred*  
 9431 *and forty-seven, between the United States, by their commis-*  
 9432 *sioners, Isaac A. Verplank and Henry M. Rice, and the Pil-*  
 9433 *lager Band of Chippewa Indians, by their chiefs, head-men,*  
 9434 *and warriors.*

9435 ARTICLE 1. It is agreed that the peace and friendship  
 9436 which exists between the United States and the Indians, parties  
 9437 to this treaty, shall be perpetual.

9438 ARTICLE 2. The Pillager band of Chippewa Indians hereby  
 9439 sell and cede to the United States all the country within the fol-  
 9440 lowing boundaries, viz: Beginning at the south end of Otter-Tail  
 9441 Lake; thence southerly on the boundary-line between the Sioux  
 9442 and Chippewa Indians to Long Prairie River; thence up said river  
 9443 to Crow Wing River; thence up Crow Wing River to Leaf River;  
 9444 thence up Leaf River to the head of said river; and from thence  
 9445 in a direct line to the place of beginning.

9446 ARTICLE 3. It is stipulated that the country hereby ceded  
 9447 shall be held by the United States as Indian land until other-  
 9448 wise ordered by the President.

9449 ARTICLE 4. In consideration of the foregoing cession, the  
 9450 United States agree to furnish to the Pillager band of Chippewa  
 9451 Indians annually, for five years, the following articles: Fifty  
 9452 three-point Mackinaw blankets, three hundred two and a half  
 9453 point Mackinaw blankets, fifty one and a half point Mackinaw  
 9454 blankets, three hundred and forty yards of gray list-cloth, four  
 9455 hundred and fifty yards of white list scarlet cloth, eighteen hun-  
 9456 dred yards of strong dark prints, assorted colors, one hundred  
 9457 and fifty pounds three-thread gray gilling-twine, seventy-five  
 9458 pounds turtle-twine, fifty bunches sturgeon-twine, twenty-five  
 9459 pounds of linen thread, two hundred combs, five thousand as-  
 9460 sorted needles, one hundred and fifty medal looking-glasses, ten  
 9461 pounds of vermilion, thirty nests (fourteen each) heavy tin ket-  
 9462 tles, five hundred pounds of tobacco, and five barrels of salt.  
 9463 And the United States further agree that at the first payment  
 9464 made under this treaty the Indians, parties to this treaty, shall

9465 receive as a present two hundred warranted beaver-traps and  
9466 seventy-five northwest guns.

9467 ARTICLE 5. This treaty shall be obligatory upon the par-  
9468 ties thereto when ratified by the President and Senate of the  
9469 United States. In testimony whereof, the said Isaac A. Verplank  
9470 and Henry M. Rice, commissioners, as aforesaid, and the chiefs,  
9471 head-men, and warriors of the Pillager band of Chippewa In-  
9472 dians, have hereunto set their hands at Leech Lake, this twenty-  
9473 first day of August, one thousand eight hundred and forty-seven.

9474 Proclaimed April 7, 1848.

9475 CHIPPEWAS OF THE MISSISSIPPI—CHIPPEWAS—  
9476 PILLAGER AND LAKE WINNIBIGOSHISH BANDS.

9477 *Treaty with the Chippewas of the Mississippi and the Pillager and*  
9478 *Lake Winibigoshish bands of Chippewa Indians in Minnesota,*  
9479 *concluded at Washington, in the District of Columbia, March*  
9480 *11, 1863; ratified March 13, 1863, with amendments; amend-*  
9481 *ments agreed to March 14, 1863.*

9482 *By the President of the United States of America.*

9483 A PROCLAMATION.

9484 *To all and singular to whom these presents shall come, greeting:*

9485 Whereas a treaty was made and concluded at the city of  
9486 Washington, in the District of Columbia, on the eleventh day of  
9487 March, in the year of our Lord one thousand eight hundred and  
9488 sixty-three, by and between William P. Dole, Commissioner of  
9489 Indian Affairs, and Clark W. Thompson, superintendent of In-  
9490 dian affairs of the northern superintendency, on the part of the  
9491 United States, and Henry M. Rice, of Minnesota, and the herein-  
9492 after named chiefs and head-men, for and on behalf of the Chip-  
9493 pewas of the Mississippi and the Pillager and Lake Winibi-  
9494 goshish bands of Chippewa Indians in Minnesota, and duly  
9495 authorized thereto by them, which treaty is in the words and  
9496 figures following, to wit:

9497 Articles of agreement and convention, made and concluded at  
9498 the city of Washington, this eleventh day of March, A. D.  
9499 one thousand eight hundred and sixty-three, between Wil-  
9500 liam P. Dole, Commissioner of Indian Affairs, and Clark  
9501 W. Thompson, superintendent of Indian affairs of the  
9502 northern superintendency, on the part of the United States,  
9503 and Henry M. Rice, of Minnesota, for and on behalf of the

9504 Chippewas of the Mississippi and the Pillager and Lake  
 9505 Winibigoshish bands of Chippewa Indians in Minnesota.

9506 ARTICLE 1. The reservations known as Gull Lake, Mille  
 9507 Lac, Sandy Lake, Rabbit Lake, Pokagomin Lake, and Rice  
 9608 Lake, as described in the second clause of the second article of  
 9509 the treaty with the Chippewas of the 22d February, 1855, are  
 9510 hereby ceded to the United States, excepting one-half section  
 9511 of land, including the mission-buildings at Gull Lake, which is  
 9512 hereby granted in fee simple to the Reverend John Johnson,  
 9513 missionary.

9514 ARTICLE 2. In consideration of the foregoing cession, the  
 9515 United States agree to set apart for the future homes of the  
 9516 Chippewas of the Mississippi, all the lands embraced within the  
 9517 following-described boundaries, except the reservations made  
 9518 and described in the third clause of the second article of the  
 9519 said treaty of February 22, 1855, for the Pillager and Lake  
 9520 Winibigoshish bands; that is to say, beginning at a point one  
 9521 mile south of the most southerly point of Leech Lake, and run-  
 9522 ning thence in an easterly course to a point one mile south of  
 9523 the most southerly point of Goose Lake; thence due east to a  
 9524 point due south from the intersection of the Pokagomin reserva-  
 9525 tion and the Mississippi River; thence on the dividing-line be-  
 9526 tween "Deer River and Lakes" and "Mashkorden's River and  
 9527 Lakes," until a point is reached north of the first-named river  
 9528 and lakes; thence in a direct line northwestwardly to the outlet  
 9529 of "Two-Routes Lake;" thence in a southwesterly direction to  
 9530 the northwest corner of the "Cass Lake" reservation; thence in  
 9531 a southwesterly direction to "Karbekaun" River; thence down  
 9532 said river to the lake of the same name; thence due south to a  
 9533 point due west from the beginning; thence to the place of be-  
 9534 ginning.

9535 ARTICLE 3. In consideration of the foregoing cession to the  
 9536 United States, and the valuable improvements thereon, the  
 9537 United States further agree: 1st. To extend the present annui-  
 9538 ties of the Indians, parties to this treaty, for ten years beyond  
 9539 the periods respectively named in existing treaties; 2nd. And  
 9540 to pay toward the settlement of the claims for depredations  
 9541 committed by said Indians in 1862, the sum of twenty thousand  
 9542 dollars, or so much thereof as may be necessary, provided that  
 9543 no money shall be paid under this item except upon claims  
 9544 which have been duly adjudicated and found to be due under  
 9545 existing treaties, from said Indians, and allowed by the Secre-  
 9546 tary of the Interior, or under his direction; 4th. To the chiefs  
 9547 of the Chippewas of the Mississippi, sixteen thousand dollars,  
 9548 (provided they shall pay to the chiefs of the Pillager and Lake  
 9549 Winibigoshish bands one thousand dollars,) to be paid upon the

9550 signing of this treaty, out of the arrearages due under the 9th  
 9551 article of the treaty concluded at La Pointe, in the State of  
 9552 Wisconsin, on the 30th of September, 1854; 5th. And to pay  
 9553 the expenses incurred by the legislature of the State of Minne-  
 9554 sota, in the month of September, 1862, in sending commission-  
 9555 ers to visit the Chippewa Indians, amounting to thirteen hun-  
 9556 dred and thirty-eight dollars and seventy-five cents.

9557       ARTICLE 4. The United States further agree to clear,  
 9558 stump, grub, and break in the reservation hereby set apart for the  
 9559 Chippewas of the Mississippi, in lots of not less than ten acres  
 9560 each, at such point or points as the chiefs of each band may  
 9561 select, as follows, viz: For the Gull Lake band, seventy acres;  
 9562 for the Mille Lac band, seventy acres; for the Sandy Lake band,  
 9563 fifty acres; for the Pokagomin band, fifty acres; for the Rabbit  
 9564 Lake band, forty acres; for the Rice Lake band, twenty acres;  
 9565 and to build for the chiefs of said bands one house each, of the  
 9566 following description: to be constructed of hewn logs; to be  
 9567 sixteen by twenty feet each and two stories high; to be roofed  
 9568 with good shaved pine shingles; the floors to be of seasoned  
 9569 pine-plank, jointed; stone or brick fire-places and chimneys;  
 9570 three windows in lower story and two in the upper story, with  
 9571 good substantial shutters to each, and suitable doors; said  
 9572 houses to be pointed with lime mortar: provided, that the  
 9573 amount expended under this article shall not exceed the sum of  
 9574 three thousand six hundred dollars.

9575       ARTICLE 5. The United States agree to furnish to said  
 9576 Indians, parties to this treaty, ten yoke of good, steady, work-  
 9577 oxen, and twenty log-chains, annually, for ten years, provided  
 9578 the Indians shall take proper care of, and make proper use of  
 9579 the same; also, for the same period, annually, two hundred  
 9580 grubbing-hoes, ten ploughs, ten grindstones, one hundred axes,  
 9581 handled, not to exceed in weight three and one-half pounds  
 9582 each, twenty spades; also, two carpenters, and two blacksmiths,  
 9583 and four farm laborers, and one physician—not exceeding, in  
 9584 the aggregate, one thousand dollars.

9585       ARTICLE 6. The United States further agree to remove the  
 9586 saw-mill from Gull Lake reservation to such point on the new  
 9587 reservation hereby set apart as may be selected by the agent,  
 9588 and to keep the same in good running order, and to employ a  
 9589 competent sawyer, so long as the President of the United States  
 9590 may deem it necessary; and to extend the road between Gull  
 9591 Lake and Leech Lake from the last-named lake to the junction  
 9592 of the Mississippi and Leech Lake Rivers, and to remove the  
 9593 agency to said junction, or as near thereto as practicable; but  
 9594 not more than           thousand dollars shall be expended for this  
 9595 purpose.

9596 ARTICLE 7. The President shall appoint a board of visitors,  
 9597 to consist of not less than two nor more than three persons, to  
 9598 be selected from such Christian denominations as he may design-  
 9599 nate, whose duty it shall be to attend the annuity payments to  
 9600 the Indians, and to inspect the fields and other improvements of  
 9601 the Indians, and to report annually thereon, on or before the  
 9602 first of November; and also as to the qualifications and moral  
 9603 deportment of all persons residing upon the reservation under  
 9604 the authority of law; and they shall receive for their services  
 9605 five dollars per day for the time actually employed, and ten cents  
 9606 per mile for travelling expenses: *Provided*, That no one shall be  
 9607 paid in any one year for more than twenty days' service, or for  
 9608 more than three hundred miles' travel.

9609 ARTICLE 8. No person shall be recognized as a chief whose  
 9610 band numbers less than fifty persons; and to encourage and aid  
 9611 the said chiefs in preserving order, and inducing by their example  
 9612 and advice the members of their respective bands to adopt the  
 9613 pursuits of civilized life, there shall be paid to each of said  
 9614 chiefs, annually, out of the annuities of said bands, a sum not  
 9615 exceeding one hundred and fifty dollars, to be determined by  
 9616 the Commissioner of Indian Affairs, according to their respective  
 9617 merits.

9618 ARTICLE 9. To improve the morals and industrial habits  
 9619 of said Indians, it is agreed that no agent, teacher, interpreter,  
 9620 traders, or their employés, shall be employed, appointed, li-  
 9621 censed, or permitted to reside within the reservations belonging  
 9622 to the Indians, parties to this treaty, missionaries excepted, who  
 9623 shall not have a lawful family residing with them at their re-  
 9624 spective places of employment or trade within the agency,  
 9625 and no person of full or mixed blood, educated or partially ed-  
 9626 ucated, whose fitness, morally or otherwise, is not conducive to  
 9627 the welfare of said Indians, shall receive any benefits from this  
 9628 or any former treaties.

9629 ARTICLE 10. All annuities under this or former treaties  
 9630 shall be paid as the chiefs in council may request, with the ap-  
 9631 proval of the Secretary of the Interior, until otherwise altered  
 9632 or amended: *Provided*, That not less than one-half of said annui-  
 9633 ties shall be paid in necessary clothing, provisions, and other  
 9634 necessary and useful articles.

9635 ARTICLE 11. Whenever the services of laborers are re-  
 9636 quired upon the reservation, preference shall be given to full or  
 9637 mixed bloods, if they shall be found competent to perform them.

9638 ARTICLE 12. It shall not be obligatory upon the Indians,  
 9639 parties to this treaty, to remove from their present reservations  
 9640 until the United States shall have first complied with the stipu-  
 9641 lations of Articles 4 and 6 of this treaty, when the United States

9642 shall furnish them with all necessary transportation and sub-  
 9643 sistence to their new homes, and subsistence for six months  
 9644 thereafter : *Provided*, That owing to the heretofore good con-  
 9645 duct of the Mille Lac Indians, they shall not be compelled to  
 9646 remove so long as they shall not in any way interfere with or in  
 9647 any manner molest the persons or property of the whites.

9648 ARTICLE 13. Female members of the family of any Gov-  
 9649 ernment employé residing on the reservation, who shall teach  
 9650 Indian girls domestic economy, shall be allowed and paid a sum  
 9651 not exceeding ten dollars per month while so engaged : *Provided*,  
 9652 That not more than one thousand dollars shall be so expended  
 9653 during any one year, and that the President of the United  
 9654 States may suspend or annul this article whenever he may deem  
 9655 it expedient to do so.

9656 ARTICLE 14. It is distinctly understood and agreed that  
 9657 the clearing and breaking of land for the Chippewas of the Mis-  
 9658 sissippi, as provided for in the fourth article of this treaty, shall  
 9659 be in lieu of all former engagements of the United States as to  
 9660 the breaking of lands for those bands.

9661 Proclaimed March 19, 1863.

9662 CHIPPEWAS OF THE MISSISSIPPI AND LAKE SUPE-  
 9663 RIOR.

9664 *Articles of a treaty made and concluded at La Pointe of Lake*  
 9665 *Superior, in the Territory of Wisconsin, between Robert*  
 9666 *Stuart, commissioner on the part of the United States, and the*  
 9667 *Chippewa Indians of the Mississippi and Lake Superior by*  
 9668 *their chiefs and head-men.*

9669 ARTICLE 1. The Chippewa Indians of the Mississippi and  
 9670 Lake Superior cede to the United States all the country within  
 9671 the following bounderies, viz: Beginning at the mouth of Choc-  
 9672 olate River of Lake Superior; thence northwardly across said  
 9673 lake to intersect the boundery-line between the United States  
 9674 and the Province of Canada; thence up said Lake Superior to  
 9675 the mouth of the St. Louis or Fond du Lac River, (including  
 9676 all the islands in said lake;) thence up said river to the American  
 9677 Fur Company's trading-post, at the southwardly bend thereof,  
 9678 about twenty-two miles from its mouth; thence south to inter-  
 9679 sect the line of the treaty of 29th July, 1837, with the Chippe-  
 9680 was of the Mississippi; thence along said line to its southeast-  
 9681 wardly extremity, near the Plover portage on the Wisconsin  
 9682 River; thence northeastwardly, along the boundery-line, be-  
 9683 tween the Chippewas and Menomonees, to its eastern termina-

9684 tion, (established by the treaty held with the Chippewas, Meno-  
 9685 monees, and Winnebagoes, at Butte des Morts, August 11, 1827,)   
 9686 on the Skonawby River of Green Bay; thence northwardly to  
 9687 the source of Chocolate River; thence down said river to its  
 9688 mouth, the place of beginning; it being the intention of the  
 9689 parties to this treaty to include in this cession all the Chippewa  
 9690 lands eastwardly of the aforesaid line running from the American  
 9691 Fur Company's trading-post, on the Fond du Lac River, to the  
 9692 intersection of the line of the treaty made with the Chippewas  
 9693 of the Mississippi July 29, 1837.

9694 ARTICLE 2. The Indians stipulate for the right of hunting  
 9695 on the ceded territory, with the other usual privileges of occu-  
 9696 pancy, until required to remove by the President of the United  
 9697 States, and that the laws of the United States shall be continued  
 9698 in force, in respect to their trade and intercourse with the whites,  
 9699 until otherwise ordered by Congress.

9700 ARTICLE 3. It is agreed by the parties to this treaty, that  
 9701 whenever the Indians shall be required to remove from the ceded  
 9702 district, all the unceded lands belonging to the Indians of Fond  
 9703 du Lac, Sandy Lake, and Mississippi bands shall be the common  
 9704 property and home of all the Indians, party to this treaty.

9705 ARTICLE 4. In consideration of the foregoing cession, the  
 9706 United States engage to pay to the Chippewa Indians of the  
 9707 Mississippi and Lake Superior, annually, for twenty-five years,  
 9708 twelve thousand five hundred (12,500) dollars, in specie, ten  
 9709 thousand five hundred (10,500) dollars in goods, two thousand  
 9710 (2,000) dollars in provisions and tobacco, two thousand (2,000)  
 9711 dollars for the support of two blacksmith's shops, (including pay  
 9712 of smiths and assistants, and iron, steel, &c.,) one thousand (1,000)  
 9713 dollars for pay of two farmers, twelve hundred (1,200) for pay of  
 9714 two carpenters, and two thousand (2,000) dollars for the support  
 9715 of schools for the Indians party to this treaty; and further the  
 9716 United States engage to pay the sum of five thousand (5,000)  
 9717 dollars as an agricultural fund, to be expended under the direc-  
 9718 tion of the Secretary of War. And also the sum of seventy-five  
 9719 thousand (75,000) dollars shall be allowed for the full satisfaction  
 9720 of their debts within the ceded district, which shall be examined  
 9721 by the commissioner to this treaty, and the amount to be allowed  
 9722 decided upon by him, which shall appear in a schedule hereunto  
 9723 annexed. The United States shall pay the amount so allowed  
 9724 within three years.

9725 Whereas the Indians have expressed a strong desire to have  
 9726 some provision made for their half-breed relatives, therefore it is  
 9727 agreed that fifteen thousand (15,000) dollars shall be paid to  
 9728 said Indians, next year, as a present, to be disposed of as they,  
 9729 together with their agent, shall determine in council.

9730 ARTICLE 5. Whereas the whole country between Lake Supe-  
 9731 rior and the Mississippi has always been understood as belong-  
 9732 ing in common to the Chippewas, party to this treaty; and  
 9733 whereas the bands bordering on Lake Superior have not been  
 9734 allowed to participate in the annuity payments of the treaty  
 9735 made with the Chippewas of the Mississippi, at St. Peters, July  
 9736 29th, 1837, and whereas all the unceded lands belonging to the  
 9737 aforesaid Indians are hereafter to be held in common, therefore,  
 9738 to remove all occasion for jealousy and discontent, it is agreed  
 9739 that all the annuity due by the said treaty, as also the annuity  
 9740 due by the present treaty, shall henceforth be equally divided  
 9741 among the Chippewas of the Mississippi and Lake Superior, party  
 9742 to this treaty, so that every person shall receive an equal share.

9743 ARTICLE 6. The Indians residing on the Mineral district  
 9744 shall be subject to removal therefrom at the pleasure of the  
 9745 President of the United States.

9746 ARTICLE 7. This treaty shall be obligatory upon the con-  
 9747 tracting parties when ratified by the President and Senate of the  
 9748 United States.

9749 Proclaimed March 28, 1843.

9750 *Schedule of claims examined and allowed by Robert Stuart, commis-*  
 9751 *sioner, under the treaty with the Chippewa Indians of the Mis-*  
 9752 *issippi and Lake Superior, concluded at La Pointe, October*  
 9753 *4th, 1842, setting forth the names of claimants, and their pro-*  
 9754 *portion of allowance of the seventy-five thousand dollars pro-*  
 9755 *vided in the fourth article of the aforesaid treaty, for the full*  
 9756 *satisfaction of their debts, as follows :*

No. of claims.	Name of claimant.	Proportion of \$75,000, set apart in 4th article of treaty.
9757	1. Edward F. Ely.....	\$50 80
9758	2. Z. Platt, esq., attorney for George Berkett....	484 67
9759	3. Cleveland North Lake Co.....	1, 485 67
9760	4. Abraham W. Williams.....	75 03
9761	5. William Brewster.....	2, 052 67
9762	This claim to be paid as follows, viz : William	
9763	Brewster or order, \$1,929.77 ; Charles W.	
9764	Borup or order, \$122.90—\$2,052.67.	
9765	6. George Copway.....	61 67
9766	7. John Kahbege.....	57 55
9767	8. Alixes Carpentier.....	28 58
9768	9. John W. Bell.....	186 16
9769	10. Antoine Picard.....	6 46
9770	11. Michael Brisette.....	182 42
9771	12. François Dejaddon .....	301 48

No of claim.	Name of claimant.	Proportion of \$75,000, set apart in 4th article of treaty.
9772	13. Pierre C. Duverney.....	\$1,101 00
9773	14. Jean Bts. Bazinet.....	325 46
9774	15. John Hotley.....	69 00
9775	16. François Charette.....	234 92
9776	17. Clement H. Beaulieu, agent for the estate of	
9777	Brazil Beaulieu, dec'd.....	596 84
9778	18. François St. Jean and George Bonga. ....	366 84
9779	19. Louis Ladebauche.....	322 52
9780	20. Peter Crebassa.....	499 27
9781	21. B. T. Kavanaugh.....	516 82
9782	22. Augustin Goslin.....	169 05
9783	23. American Fur Company.....	13,365 30
9784	This claim to be paid as follows, viz: Amer-	
9785	ican Fur Company, \$12,565.10; Charles	
9786	W. Borup, \$800.20—\$13,365.30.	
9787	24. William A. Aitken.....	935 67
9788	25. James P. Scott.....	73 41
9789	26. Augustin Bellanger.....	192 35
9790	27. Louis Corbin.....	12 57
9791	28. Alexes Corbin.....	596 03
9792	29. George Johnson.....	35 24
9793	30. Z. Platt, esq., attorney for Sam'l Ashman. ...	1,771 63
9794	31. Z. Platt, esq., attorney for Wm. Johnson.....	390 27
9795	32. Z. Platt, esq., attorney for estate of Dan'l Ding-	
9796	ley.....	1,991 62
9797	33. Lyman M. Warren.....	1,566 65
9798	34. Estate of Michael Cadotte, <i>disallowed</i> .....	
9799	35. Z. Platt, esq., attorney for estate of E. Rous-	
9800	sain.....	959 13
9801	36. Joseph Dufault.....	144 32
9802	37. Z. Platt, esq., attorney for Antoine Mace.....	170 35
9803	38. Michael Cadotte.....	205 60
9804	39. Z. Platt, esq., att'y for François Gauthier.....	167 05
9805	40. Z. Platt, esq., att'y for Joseph Gauthier.....	614 30
9806	41. Z. Platt, esq., attorney for J. B. Uoulle.....	64 78
9807	42. Jean Bts. Corbin.....	531 50
9808	43. John Hulburt.....	209 18
9809	44. Jean Bts. Couvellion.....	18 80
9810	45. Nicholas Da Couteau, <i>withdrawn</i> .....	
9811	46. Pierre Cotté.....	732 50
9812	47. W. H. Brockway and Henry Holt, executors to	
9813	the estate of John Holiday, dec'd.....	3,157 10
9814	48. John Jacob Astor.....	27,994 98

No of claim.	Name of claimant.	Proportion of \$75,000, set apart in 4th article of treaty.
9815	This claim to be paid as follows, viz: Charles	
9816	W. Borup, \$1,676.90; Z. Platt, esq.,	
9817	\$2,621.80; John Jacob Astor, \$23,696.28—	
9818	\$27,994.98.	
9819	49. Z. Platt, esq., attorney for Thos. Connor.....	\$1, 118 60
9820	50. Charles H. Oakes.....	4, 309 21
9821	51. Z. Platt, esq., attorney for Wm. Morrison.....	1, 074 70
9822	52. Z. Platt, esq., att'y for Isaac Butterfield.....	1, 275 56
9823	53. J. B. Van Rensselaer.....	62 00
9824	54. William Brewster and James W. Abbot.....	2, 067 10
9825	The parties to this claim request no payment	
9826	be made to either without their joint con-	
9827	sent, or until a decision of the case be had	
9828	in a court of justice.	
9829	55. William Bell.....	17 62
9830		
9831		<hr/> \$75, 000 00

9832 *Articles of a treaty made and concluded at the Fond du Lac of Lake*  
 9833 *Superior, on the second day of August, in the year one thousand*  
 9834 *eight hundred and forty-seven, between the United States, by*  
 9835 *their commissioners, Isaac A. Verplank and Henry M. Rice,*  
 9836 *and the Chippewa Indians of the Mississippi and Lake Superior,*  
 9837 *by their chiefs and head-men.*

9838 ARTICLE 1. It is agreed that the peace and friendship which  
 9839 exists between the people of the United States and the Chip-  
 9840 pewa Indians shall be perpetual.

9841 ARTICLE 2. The Chippewa Indians of the Mississippi and  
 9842 Lake Superior cede and sell to the United States all the land  
 9843 within the following boundaries, viz: Beginning at the junction  
 9844 of the Crow Wing and Mississippi Rivers, thence up the Crow  
 9845 Wing River to the junction of that river with the Long Prairie  
 9846 River, thence up the Long Prairie River to the boundary-line  
 9847 between the Sioux and Chippewa Indians, thence southerly  
 9848 along the said boundary-line to a lake at the head of Long  
 9849 Prairie River, thence in a direct line to the sources of the  
 9850 Watab River, thence down the Watab to the Mississippi River,  
 9851 thence up the Mississippi to the place of beginning; and also all  
 9852 the interest and claim which the Indians, parties to this treaty,  
 9853 have in a tract of land lying upon and north of Long Prairie  
 9854 River, and called One-day's Hunt; but, as the boundary-line  
 9855 between the Indians, parties to this treaty, and the Chippewa  
 9856 Indians, commonly called "Pillagers," is indefinite, it is agreed  
 9857 that before the United States use or occupy the said tract of  
 9858 land north of Long Prairie River the boundary-line between the

9859 said tract and the Pillager lands shall be defined and settled to  
 9860 the satisfaction of the Pillagers.

9861       ARTICLE 3. In consideration of the foregoing cession, the  
 9862 United States agree to pay to the Chippewas of Lake Superior  
 9863 seventeen thousand dollars in specie, and to the Chippewas of  
 9864 the Mississippi seventeen thousand dollars in specie; the above  
 9865 sums to be paid at such place or places, and in such manner, as  
 9866 the President shall direct, and to be paid within six months  
 9867 after this treaty shall be ratified by the President and Senate  
 9868 of the United States; and the United States further agree to  
 9869 pay to the Mississippi Indians the sum of one thousand dollars  
 9870 annually for forty-six years; but it is agreed that whenever the  
 9871 Chippewas of the Mississippi shall agree as to the schools to be  
 9872 established, and the places at which they shall be located, the  
 9873 number of blacksmiths and laborers to be employed for them,  
 9874 and shall request the United States to expend, from year to  
 9875 year, the annual payments remaining unpaid, in the support of  
 9876 schools, blacksmiths, and laborers, the same shall be expended  
 9877 by the United States for such purposes; and that Chippewas of  
 9878 full or mixed blood shall be employed as teachers, blacksmiths,  
 9879 and laborers, when such persons can be employed who are com-  
 9880 petent to perform the duties required of them under this and  
 9881 all former treaties.

9882       ARTICLE 4. It is stipulated that the half or mixed bloods of  
 9883 the Chippewas residing with them shall be considered Chippewa  
 9884 Indians, and shall, as such, be allowed to participate in all annu-  
 9885 ities which shall hereafter be paid to the Chippewas of the Mis-  
 9886 sissippi and Lake Superior, due them by this treaty, and by the  
 9887 treaties heretofore made and ratified.

9888       ARTICLE 5. Stricken out.

9889       ARTICLE 6. This treaty shall be obligatory upon the con-  
 9890 tracting parties when ratified by the President and Senate of  
 9891 the United States.

9892       Proclaimed April 7, 1848.

9893       FRANKLIN PIERCE, President of the United States of America,  
 9894 to all and singular to whom these presents shall come,  
 9895 greeting:

9896       Whereas a treaty was made and concluded at La Pointe, in  
 9897 the State of Wisconsin, on the thirtieth day of September,  
 9898 eighteen hundred and fifty-four, by Henry C. Gilbert and David  
 9899 B. Herriman, commissioners on the part of the United States,  
 9900 and the Chippewa Indians of Lake Superior and the Mississippi,  
 9901 by their chiefs and head-men, which treaty is in the words fol-  
 9902 lowing, to wit:

9903       Articles of a treaty made and concluded at La Pointe, in the

9904 State of Wisconsin, between Henry C. Gilbert and David  
 9905 B. Herriman, commissioners on the part of the United  
 9906 States, and the Chippewa Indians of Lake Superior and the  
 9907 Mississippi, by their chiefs and head-men.

9908 ARTICLE 1. The Chippewas of Lake Superior hereby cede to  
 9909 the United States all the lands heretofore owned by them in  
 9910 common with the Chippewas of the Mississippi, lying east of the  
 9911 following boundary-line, to wit: Beginning at a point where  
 9912 the east branch of Snake River crosses the southern boundary-  
 9913 line of the Chippewa country, running thence up the said  
 9914 branch to its source, thence nearly north, in a straight line, to  
 9915 the mouth of East Savannah River, thence up the St. Louis  
 9916 River to the mouth of East Swan River, thence up the East Swan  
 9917 River to its source, thence in a straight line to the most west-  
 9918 erly bend of Vermillion River, and thence down the Vermillion  
 9919 River to its mouth.

9920 The Chippewas of the Mississippi hereby assent and agree  
 9921 to the foregoing cession, and consent that the whole amount of  
 9922 the consideration money for the country ceded above shall be  
 9923 paid to the Chippewas of Lake Superior, and in consideration  
 9924 thereof the Chippewas of Lake Superior hereby relinquish to  
 9925 the Chippewas of the Mississippi all their interest in and claim  
 9926 to the lands heretofore owned by them in common, lying west of  
 9927 the above boundary-line.

9928 ARTICLE 2. The United States agree to set apart and with-  
 9929 hold from sale, for the use of the Chippewas of Lake Superior,  
 9930 the following-described tracts of land, viz :

9931 1st. For the L'Anse and Vieux De Sert bands, all the un-  
 9932 sold lands in the following townships in the State of Michigan :  
 9933 Township fifty-one north range thirty-three west ; township  
 9934 fifty-one north range thirty-two west ; the east half of township  
 9935 fifty north range thirty-three west ; the west half of township  
 9936 fifty north range thirty-two west ; and all of township fifty-one  
 9937 north range thirty-one west, lying west of Huron Bay.

9938 2d. For the La Pointe band, and such other Indians as may  
 9939 see fit to settle with them, a tract of land bounded as follows :  
 9940 Beginning on the south shore of Lake Superior, a few miles  
 9941 west of Montreal River, at the mouth of a creek called by the  
 9942 Indians Ke-che-se-be-we-she, running thence south to a line  
 9943 drawn east and west through the centre of township forty-seven  
 9944 north, thence west to the west line of said township, thence  
 9945 south to the southeast corner of township forty-six north, range  
 9946 thirty-two west, thence west the width of two townships, thence  
 9947 north the width of two townships, thence west one mile, thence  
 9948 north to the lake shore, and thence along the lake shore, cross-  
 9949 ing Shag-waw-me-quon Point, to the place of beginning. Also

9950 two hundred acres on the northern extremity of Madeline Island,  
9951 for a fishing ground.

9952 3d. For the other Wisconsin bands, a tract of land lying  
9953 about Lac De Flambeau, and another tract on Lac Court Oriel-  
9954 les, each equal in extent to three townships, the boundaries of  
9955 which shall be hereafter agreed upon or fixed under the direc-  
9956 tion of the President.

9957 4th. For the Fond Du Lac bands, a tract of land bounded  
9958 as follows: Beginning at an island in the St. Louis River,  
9959 above Knife Portage, called by the Indians Paw-paw-seo-me-me-  
9960 tig, running thence west to the boundary-line heretofore de-  
9961 scribed, thence north along said boundary-line to the mouth of  
9962 Savannah River, thence down the St. Louis River to the  
9963 place of beginning. And if said tract shall contain less than  
9964 one hundred thousand acres, a strip of land shall be added on  
9965 the south side thereof large enough to equal such deficiency.

9966 5th. For the Grand Portage band, a tract of land bounded  
9967 as follows: Beginning at a rock a little east of the eastern ex-  
9968 tremity of Grand Portage Bay, running thence along the lake  
9969 shore to the mouth of a small stream called by the Indians Maw-  
9970 ske-gwaw-caw-maw-se-be, or Cranberry Marsh River, thence up  
9971 said stream, across the point to Pigeon River, thence down  
9972 Pigeon River to a point opposite the starting-point, and thence  
9973 across to the place of beginning.

9974 6th. The Ontonagon band and that subdivision of the La  
9975 Pointe band of which Buffalo is chief may each select, on or  
9976 near the lake shore, four sections of land, under the direction  
9977 of the President, the boundaries of which shall be defined  
9978 hereafter. And being desirous to provide for some of his connec-  
9979 tions who have rendered his people important services, it is  
9980 agreed that the chief Buffalo may select one section of land, at  
9981 such place in the ceded territory as he may see fit, which shall  
9982 be reserved for that purpose, and conveyed by the United States  
9983 to such person or persons as he may direct.

9984 7th. Each head of a family, or single person over twenty-  
9985 one years of age at the present time, of the mixed bloods, be-  
9986 longing to the Chippewas of Lake Superior, shall be entitled to  
9987 eighty acres of land, to be selected by them under the direction  
9988 of the President, and which shall be secured to them by patent  
9989 in the usual form.

9990 ARTICLE 3. The United States will define the boundaries  
9991 of the reserved tracts, whenever it may be necessary, by actual  
9992 survey, and the President may, from time to time, at his discre-  
9993 tion, cause the whole to be surveyed, and may assign to each  
9994 head of a family or single person over twenty-one years of age  
9995 eighty acres of land for his or their separate use; and he may,

9996 at his discretion, as fast as the occupants become capable of  
 9997 transacting their own affairs, issue patents therefor to such oc-  
 9998 cupants, with such restrictions of the power of alienation as he  
 9999 may see fit to impose. And he may also, at his discretion, make  
 10000 rules and regulations respecting the disposition of the lands in  
 10001 case of the death of the head of a family or single person occu-  
 10002 pying the same, or in case of its abandonment by them. And  
 10003 he may also assign other lands in exchange for mineral lands, if  
 10004 any such are found in the tracts herein set apart. And he may  
 10005 also make such changes in the boundaries of such reserved  
 10006 tracts or otherwise as shall be necessary to prevent interference  
 10007 with any vested rights. All necessary roads, highways, and  
 10008 railroads, the lines of which may run through any of the re-  
 10009 served tracts, shall have the right of way through the same,  
 10010 compensation being made therefor as in other cases.

10011 ARTICLE 4. In consideration of and payment for the coun-  
 10012 try hereby ceded, the United States agree to pay to the Chip-  
 10013 pewas of Lake Superior, annually, for the term of twenty years,  
 10014 the following sums, to wit: five thousand dollars in coin; eight  
 10015 thousand dollars in goods, household furniture, and cooking  
 10016 utensils; three thousand dollars in agricultural implements and  
 10017 cattle, carpenter's and other tools, and building materials, and  
 10018 three thousand dollars for moral and educational purposes, of  
 10019 which last sum three hundred dollars per annum shall be paid  
 10020 to the Grand Portage band, to enable them to maintain a school  
 10021 at their village. The United States will also pay the further  
 10022 sum of ninety thousand dollars, as the chiefs in open council  
 10023 may direct, to enable them to meet their present just engage-  
 10024 ments. Also the further sum of six thousand dollars in agri-  
 10025 cultural implements, household furniture, and cooking utensils,  
 10026 to be distributed at the next annuity payment among the mixed  
 10027 bloods of said nation. The United States will also furnish two  
 10028 hundred guns, one hundred rifles, five hundred beaver-traps,  
 10029 three hundred dollars' worth of ammunition, and one thousand  
 10030 dollars' worth of ready-made clothing, to be distributed among  
 10031 the young men of the nation at the next annuity payment.

10032 ARTICLE 5. The United States will also furnish a black-  
 10033 smith and assistant, with the usual amount of stock, during  
 10034 the continuance of the annuity payments, and as much longer  
 10035 as the President may think proper, at each of the points herein  
 10036 set apart for the residence of the Indians, the same to be in lieu  
 10037 of all the employees to which the Chippewas of Lake Superior  
 10038 may be entitled under previous existing treaties.

10039 ARTICLE 6. The annuities of the Indians shall not be taken  
 10040 to pay the debts of individuals, but satisfaction for depredations

10041 committed by them shall be made by them in such manner as  
10042 the President may direct.

10043 ARTICLE 7. No spirituous liquors shall be made, sold, or  
10044 used on any of the lands herein set apart for the residence of  
10045 the Indians, and the sale of the same shall be prohibited in the  
10046 Territory hereby ceded, until otherwise ordered by the Presi-  
10047 dent.

10048 ARTICLE 8. It is agreed, between the Chippewas of Lake  
10049 Superior and the Chippewas of the Mississippi, that the former  
10050 shall be entitled to two-thirds, and the latter to one-third, of all  
10051 benefits to be derived from former treaties existing prior to the  
10052 year 1847.

10053 ARTICLE 9. The United States agree that an examination  
10054 shall be made, and all sums that may be found equitably due to the  
10055 Indians, for arrearages of annuity or other thing, under the pro-  
10056 visions of former treaties, shall be paid as the chiefs may direct.

10057 ARTICLE 10. All missionaries, and teachers, and other per-  
10058 sons of full age, residing in the territory hereby ceded, or upon  
10059 any of the reservations hereby made by authority of law, shall  
10060 be allowed to enter the land occupied by them at the minimum  
10061 price whenever the surveys shall be completed to the amount of  
10062 one quarter-section each.

10063 ARTICLE 11. All annuity payments to the Chippewas of  
10064 Lake Superior, shall hereafter be made at L'Anse, La Pointe,  
10065 Grand Portage, and on the St. Louis River; and the Indians  
10066 shall not be required to remove from the homes hereby set apart  
10067 for them. And such of them as reside in the territory hereby  
10068 ceded shall have the right to hunt and fish therein, until other-  
10069 wise ordered by the President.

10070 ARTICLE 12. In consideration of the poverty of the Bois  
10071 Forte Indians who are parties to this treaty, they having never  
10072 received any annuity payments, and of the great extent of that  
10073 part of the ceded country owned exclusively by them, the fol-  
10074 lowing additional stipulations are made for their benefit. The  
10075 United States will pay the sum of ten thousand dollars, as their  
10076 chiefs in open council may direct, to enable them to meet their  
10077 present just engagements. Also the further sum of ten thou-  
10078 sand dollars, in five equal annual payments, in blankets, cloth,  
10079 nets, guns, ammunition, and such other articles of necessity as  
10080 they may require.

10081 They shall have the right to select their reservation at any  
10082 time hereafter, under the direction of the President; and the  
10083 same may be equal in extent, in proportion to their numbers, to  
10084 those allowed the other bands, and be subject to the same pro-  
10085 visions.

10086 They shall be allowed a blacksmith, and the usual smith-

10087 shop supplies, and also two persons to instruct them in farming,  
 10088 whenever in the opinion of the President it shall be proper, and  
 10089 for such length of time as he shall direct.

10090 It is understood that all Indians who are parties to this  
 10091 treaty, except the Chippewas of the Mississippi, shall hereafter  
 10092 be known as the Chippewas of Lake Superior: *Provided*, That  
 10093 the stipulation by which the Chippewas of Lake Superior re-  
 10094 linquishing their right to land west of the boundary-line shall  
 10095 not apply to the Bois Forte band who are parties to this treaty.

10096 ARTICLE 13. This treaty shall be obligatory on the con-  
 10097 tracting parties, as soon as the same shall be ratified by the  
 10098 President and Senate of the United States.

10099 Proclaimed January 29, 1855.

10100 CHIPPEWAS—SWAN-CREEK AND BLACK-RIVER  
 10101 BANDS.

10102 *Articles of a treaty made at Washington, in the District of Colum-*  
 10103 *bia, on the ninth day of May, in the year of our Lord one*  
 10104 *thousand eight hundred and thirty-six, between Henry R. School-*  
 10105 *craft, commissioner on the part of the United States, and the*  
 10106 *chiefs of the Swan-Creek and Black-River bands of the Chip-*  
 10107 *pewa Nation, residing within the limits of Michigan.*

10108 Whereas certain reservations of land were made to the said  
 10109 bands of Indians in the treaty concluded at Detroit on the 17th  
 10110 of November, 1807, and these reservations, after having been  
 10111 duly located, under the authority of the Government, have re-  
 10112 mained in their possession and occupancy to the present time;  
 10113 and whereas the said Indians, actuated by considerations affect-  
 10114 ing their permanent improvement and happiness, are desirous  
 10115 of fixing their residence at some point more favorable to these  
 10116 objects, and have expressed their wishes to dispose of the same,  
 10117 and authorized their chiefs to proceed to Washington for the  
 10118 purpose of making the necessary arrangement; it is, therefore,  
 10119 after mature deliberation on their part, agreed as follows:

10120 ARTICLE 1. The Swan-Creek and Black-River bands of  
 10121 Chippewas cede to the United States the following tracts, namely:

10122 One tract of three miles square, or five thousand seven  
 10123 hundred and sixty acres, on Swan Creek of lake St. Clair;  
 10124 one tract of one section and three-quarters, near Salt Creek of  
 10125 said lake; one tract of one-fourth of a section, at the mouth of  
 10126 the river Au Vaseau, contiguous to the preceding cession; and  
 10127 one tract of two sections, near the mouth of Black River of the

10128 river St. Clair, estimated to contain in the aggregate eight  
10129 thousand three hundred and twenty acres, be the same more or  
10130 less.

10131       ARTICLE 2. In consideration of the foregoing cessions the  
10132 United States agree to pay to the said Indians the net proceeds  
10133 of the sale thereof, after deducting the cost of survey and sale  
10134 and the contingent expenses attending the treaty. The lands  
10135 shall be surveyed and offered for sale in the usual manner at  
10136 the land office in Detroit as soon as practicable after the ratifi-  
10137 cation of this treaty. A special account shall be kept at the  
10138 Treasury of the amount of the sale of the said lands, and after  
10139 deducting therefrom the sums hereafter stipulated, to be ad-  
10140 vanced by the United States, ten thousand dollars shall be re-  
10141 tained by the Treasury, and shall be paid to the said Indians in  
10142 annuities of one thousand dollars a year for ten years; and the  
10143 residue of the fund shall be vested by the Secretary of the  
10144 Treasury in the purchase of some State stock, the interest of  
10145 which shall be annually paid to the said Indians like other an-  
10146 nuities: *Provided*, That if at any time hereafter the said In-  
10147 dians shall desire to have the said stock sold, and the proceeds  
10148 paid over to them, the same may be done, if the President and  
10149 Senate consent thereto.

10150       ARTICLE 3. The United States will advance to said Indians  
10151 on the ratification of this treaty, to be deducted from the avails  
10152 of the lands, the sum of two thousand five hundred dollars, and  
10153 also goods to the value of four thousand dollars, to be purchased  
10154 in New York and delivered in bulk, at their expense, to the  
10155 proper chiefs at Detroit, or at such point on Lake St. Clair as  
10156 the chiefs may request; together with the expenses of the  
10157 treaty, the journeys of the Indians to and from Washington, and  
10158 their subsistence and other expenses at the seat of Govern-  
10159 ment.

10160       ARTICLE 4. The United States will furnish the said Indians  
10161 eight thousand three hundred and twenty acres, or thirteen sec-  
10162 tions, of land west of the Mississippi, or northwest of St.  
10163 Anthony's Falls, to be located by an agent or officer of the  
10164 Government, and the evidence of such location shall be delivered  
10165 to the chiefs.

10166       Proclaimed May 23, 1856.

10167 CHIPPEWAS—SWAN CREEK AND BLACK RIVER  
10168 BANDS AND MUNSEE OR CHRISTIAN INDIANS.

10169 *Treaty between the United States and the Swan Creek and Black*  
10170 *River Chippewas and the Munsee or Christian Indians; con-*  
10171 *cluded July 16, 1859; ratified by the Senate April 19, 1860.*

10172 *By the President of the United States :*

10173 A PROCLAMATION.

10174 *To all and singular to whom these presents shall come, greeting :*

10175 Whereas a treaty was made and concluded at the Sac and  
10176 Fox agency on the sixteenth day of July, one thousand eight  
10177 hundred and fifty-nine, by David Crawford, commissioner on  
10178 the part of the United States, and certain delegates hereinafter  
10179 named representing the Swan Creek and Black River Chippe-  
10180 was, and the Munsee or Christain Indians, which treaty is in  
10181 the following words, to wit:

10182 Articles of agreement and convention made and concluded at  
10183 the Sac and Fox agency on this sixteenth day of July, one  
10184 thousand eight hundred and fifty-nine, by David Crawford,  
10185 commissioner on the part of the United States, and the fol-  
10186 lowing-named delegates representing the Swan Creek and  
10187 Black River Chippewas and the Munsee or Christian Indi-  
10188 ans, they being duly authorized thereto by said Indians,  
10189 viz : Eshton-quit, or Francis McCoonse, Edward McCoonse,  
10190 William Turner, Antwine Gokey, Henry Donohue, Ignatius  
10191 Caleb, and John Williams.

10192 Whereas the Swan Creek and Black River band of Chippe-  
10193 was, of Kansas Territory, who were parties to the treaty of  
10194 May 9, 1836, claim to be entitled to participate in the beneficial  
10195 provisions of the subsequent treaty of August 2, 1855, under a  
10196 misapprehension of the terms and conditions of said instru-  
10197 ment, the provisions of which were only designed to embrace  
10198 the Chippewas of Saginaw and that portion of the Chippewas  
10199 of Swan Creek and Black River who were then residing in  
10200 Michigan; and whereas a reservation of eight thousand three  
10201 hundred and twenty acres, or thirteen sections of land, was set  
10202 apart in Kansas Territory for the use of the Swan Creek and  
10203 Black River band of Chippewas, in consideration of the cession  
10204 and relinquishment of certain lands in the State of Michigan  
10205 which were reserved for said band of Indians by the 6th article  
10206 of the treaty of November 17, 1807; and in view of the fact  
10207 that a part of the aforesaid band, who now reside in the Terri-  
10208 tory of Kansas, have not received their full proportion of the  
10209 benefits designed to have been conferred upon them by the pro-  
10210 visions of the second article of the treaty of May 9, 1836, it is  
10211 understood to be the intention of the United States, in the ex-  
10212 ecution of these articles of agreement and convention, to mani-  
10213 fest their liberality and disposition to encourage said Indians in  
10214 agricultural pursuits, and, with a view to remove from their  
10215 minds all erroneous impressions respecting the non-fulfilment

10216 of the stipulations of former treaties, a liberal provision will be  
 10217 made for their benefit as hereinafter expressed. It is further  
 10218 understood to be the intention of this instrument to unite the  
 10219 Munsee or Christian Indians with the aforesaid band of Chip-  
 10220 pewas, in order to provide them with a suitable and permanent  
 10221 home, as contemplated by the act of Congress entitled "An act  
 10222 to confirm the sale of the reservation held by the Christian In-  
 10223 dians, and to provide a permanent home for said Indians," ap-  
 10224 proved June 8, 1858.

10225       ARTICLE 1. The United States agree that the reservation of  
 10226 eight thousand three hundred and twenty acres, or thirteen sec-  
 10227 tions of land in Franklin County, Kansas Territory, set apart  
 10228 for the entire band of Swan Creek and Black River Chippewas,  
 10229 shall inure to the benefit of that portion of said band now resid-  
 10230 ing thereon, and the United States shall cause said reservation  
 10231 to be surveyed into sections, half, quarter, and quarter-quarter  
 10232 sections, in harmony with the public-land system. For the pur-  
 10233 pose of securing a permanent home thereon for the band of  
 10234 Munsee or Christian Indians who have expressed a desire to  
 10235 unite with said band of Chippewas, it is agreed between the  
 10236 contracting parties to this instrument that the aforesaid bands  
 10237 of Indians are hereby united for their mutual advantage as  
 10238 herein indicated. And within said reservation there shall be as-  
 10239 signed, in severalty, to the members of said united bands, not  
 10240 exceeding forty acres of land to each head of a family, and not  
 10241 exceeding forty acres to each child or other member of said  
 10242 family; forty acres to each orphan child, and eighty acres to  
 10243 each unmarried person of the age of twenty-one years and  
 10244 upwards, not connected with any family, to include in each case,  
 10245 so far as practicable, a reasonable proportion of timber; and  
 10246 the selections shall be so made as to respect the present improve-  
 10247 ments of the aforesaid Chippewas, so far as the same can be done  
 10248 consistently with the rights of the Christian Indians; and when  
 10249 it is found expedient to select lands for one Indian, embracing  
 10250 part of the improvements made by another, then, in such case,  
 10251 a reasonable compensation shall be made for such improvements  
 10252 by the Indian to whom they may be assigned by the party enti-  
 10253 tled to the same, to be determined by the Secretary of the Inte-  
 10254 rior, upon an investigation of the facts in the case. At a situa-  
 10255 ble point within said reservation there shall be set apart for the  
 10256 establishment of a manual-labor school and educational and mis-  
 10257 sionary purposes a quarter section of land, or one hundred and  
 10258 sixty acres; and the land so set apart, together with the tracts  
 10259 which may be assigned to the members of said united bands,  
 10260 shall be in as regular and compact a body as possible, and so as  
 10261 to admit of a distinct and well-defined exterior boundary, em-

10262 bracing the whole of them, and also any intermediate portions  
 10263 or parcels of land or water not included in or made part of the  
 10264 tracts assigned in severalty. Any such intermediate parcels of  
 10265 land and water shall be held by said united bands in common,  
 10266 but in case of increase in the bands of said Indians, or other  
 10267 cause rendering it necessary or expedient, the said intermediate  
 10268 parcels of land shall be subject to distribution and assignment  
 10269 in severalty, in such manner as the Secretary of the Interior  
 10270 shall prescribe and direct. The whole of the lands assigned or  
 10271 unassigned in severalty embraced within said exterior boundary  
 10272 to include in the aggregate not exceeding seven sections, or  
 10273 four thousand eight hundred and eighty acres of land, shall con-  
 10274 stitute and be known as the Chippewa and Christian Indian  
 10275 reservation, within and over which all laws passed or which  
 10276 may be passed by Congress, regulating trade and intercourse  
 10277 with the Indian tribes, shall have full force and effect. And no  
 10278 white person, except such as may be in the employ of the United  
 10279 States, shall be allowed to reside or go upon any portion of said  
 10280 reservation without the written permission of the superinten-  
 10281 dent of Indian affairs, or agent or other person who may be in-  
 10282 trusted with the management and control thereof. The afore-  
 10283 said division and assignment of lands to the Indians shall be  
 10284 made under the direction of the Secretary of the Interior, and  
 10285 when approved by him shall be final and conclusive. Certifi-  
 10286 cates shall be issued by the Commissioner of Indian Affairs for  
 10287 the tracts so assigned, specifying the names of the individuals  
 10288 to whom they have been assigned respectively, and that they  
 10289 are for the exclusive use and benefit of themselves, their heirs,  
 10290 and descendants; and said tracts shall not be alienated in fee,  
 10291 leased, or otherwise disposed of, except to the United States, or  
 10292 to the members of said bands of Indians, under such rules and  
 10293 regulations as may be prescribed by the Secretary of the Inte-  
 10294 rior; and said lands shall be exempt from taxation, levy, sale,  
 10295 or forfeiture, until otherwise provided for by Congress. Prior  
 10296 to the issue of said certificates, the Secretary of the Interior  
 10297 shall make such rules and regulations as he may deem necessary  
 10298 and expedient, respecting the disposition of any of said tracts in  
 10299 case of the death of the person or persons to whom they may be  
 10300 assigned, so that the same shall be secured to the families of  
 10301 such deceased persons; and should any of the Indians to whom  
 10302 tracts shall be assigned abandon them, the said Secretary may  
 10303 take such action in relation to the proper disposition thereof as  
 10304 in his judgment may be necessary and expedient.

10305 ARTICLE 2. After all the selections and assignments herein-  
 10306 before specified shall have been made and approved, the residue  
 10307 of the land in the tract set apart for the use of the Swan Creek

10308 and Black River Chippewas, under the provisions of the fourth  
 10309 article of the treaty of May ninth, eighteen hundred and thirty-  
 10310 six, which may not be embraced by the exterior boundary of  
 10311 the reduced reservation, shall be appraised at a reasonable  
 10312 value, and the same shall be sold at public auction to the highest  
 10313 bidder, but no bid shall be received for a sum less than the ap-  
 10314 praised value, and the proceeds of sale, after deducting there-  
 10315 from the expenses incident thereto, shall be regarded as belong-  
 10316 ing to the aforesaid band of Chippewas. The said band of In-  
 10317 dians shall be allowed the sum of three thousand dollars out of  
 10318 the funds of the Christian Indians, as a consideration for the  
 10319 tracts of land which shall be assigned to the members of said  
 10320 band of Indians, and also the sum of six thousand dollars, (to  
 10321 be taken from the Treasury of the United States,) in full satis-  
 10322 faction of all claims and demands, legal, equitable, or otherwise,  
 10323 which the aforesaid band of Chippewas may have against the  
 10324 United States under the stipulations and provisions of former  
 10325 treaties, and these sums of money, together with the proceeds  
 10326 of the sales of the lands before mentioned, shall be invested in  
 10327 the manner hereinafter provided. And to enable the Secretary of  
 10328 the Interior to liquidate the allowance of the aforesaid sum of  
 10329 six thousand dollars, he is authorized, at his discretion, to dispose  
 10330 of the stock of the State of Missouri, purchased from avails of  
 10331 land sold under the treaty of eighteen hundred and thirty-six,  
 10332 and such a sum from interest accruing thereon, and of any bal-  
 10333 ance of annuities now in the Treasury of the United States re-  
 10334 sulting from other treaties with said Indians.

10335 ARTICLE 3. For the purpose of comfortably establishing the  
 10336 Christian Indians upon the lands which shall be assigned to  
 10337 them in severalty, by building them houses, and furnishing  
 10338 them with agricultural implements, stock animals, and other  
 10339 necessary aid and facilities for commencing agricultural pursuits  
 10340 under favorable circumstances, there shall be expended, under  
 10341 the direction of the Secretary of the Interior, (out of the aggre-  
 10342 gate sum of forty-three thousand four hundred dollars deposited  
 10343 in the Treasury of the United States by A. J. Isacks, to the  
 10344 credit of said Secretary for the use of the Christian Indians,) a  
 10345 sum not exceeding twenty-three thousand dollars, and the bal-  
 10346 ance of the aforesaid aggregate sum shall be mingled with the  
 10347 funds of the aforesaid band of Chippewas, and the moneys so  
 10348 mingled together shall constitute a joint fund, subject to the  
 10349 direction and control of the Secretary of the Interior. Two  
 10350 thousand dollars thereof shall be expended for the benefit of  
 10351 said united bands of Indians, in providing them with a school-  
 10352 house, church building, and blacksmith-shop, and necessary fix-  
 10353 tures, and the residue of said joint fund, after deducting there-

10354 from all the expenses incident to the negotiation of this treaty,  
 10355 the survey and assignment of the lands, the concentration of  
 10356 the Indians thereon, and all other necessary expenses, shall be  
 10357 invested in safe and profitable stocks, yielding an interest of not  
 10358 less than five per centum per annum; and said interest, as it  
 10359 becomes due, shall be applied, under the direction of the Secre-  
 10360 tary of the Interior, from time to time, for educational purposes,  
 10361 for the support of a blacksmith-shop, and such other beneficial  
 10362 objects as he may adjudge to be necessary and expedient for the  
 10363 general prosperity and advancement of the aforesaid bands of  
 10364 Indians in the arts of civilized life.

10365 ARTICLE 4. In consideration of the provisions contained in  
 10366 the several articles of this treaty, the aforesaid band of Swan  
 10367 Creek and Black River Chippewas hereby relinquish all claims  
 10368 and demands which they may have against the United States,  
 10369 under the stipulations of the treaty of November 17, 1807, and  
 10370 the treaty of May 9, 1836; and they hereby abandon and renounce  
 10371 any and all claims to participate in the provisions of the subse-  
 10372 quent treaty of August 2, 1855, and they receive the stipulations  
 10373 and provisions contained in these articles of agreement and con-  
 10374 vention, in full satisfaction of the terms and conditions of all  
 10375 former treaties, and release the United States from the payment  
 10376 of all claims of every character whatsoever.

10377 ARTICLE 5. It is agreed that all roads and highways, laid  
 10378 out by authority of law, shall have right of way through the  
 10379 lands within the reservation hereinbefore specified, on the same  
 10380 terms as are provided by law, when roads and highways are  
 10381 made through lands of citizens of the United States; and rail-  
 10382 road companies, when the lines of their roads necessarily pass  
 10383 through the lands of said Indians, shall have right of way on the  
 10384 payment of just compensation therefor in money.

10385 ARTICLE 6. This instrument shall be obligatory on the con-  
 10386 tracting parties whenever the same shall be ratified by the Pres-  
 10387 ident and the Senate of the United States.

10388 Proclaimed July 9, 1860.

10389 CHIPPEWAS—SAGINAW, SWAN CREEK, AND BLACK  
 10390 RIVER.

10391 FRANKLIN PIERCE, President of the United States of America,  
 10392 to all persons to whom these presents shall come, greeting:

10393 Whereas a treaty was made and concluded at the city of  
 10394 Detroit, in the State of Michigan, on the second day of August,  
 10395 one thousand eight hundred and fifty-five, between George W.  
 10396 Manypenny and Henry C. Gilbert, commissioners on the part of

10397 the United States, and the Chippewa Indians of Saginaw, par-  
 10398 ties to the treaty of January 14, 1837, and that portion of the  
 10399 bands of Chippewa Indians of Swan Creek and Black River,  
 10400 parties to the treaty of May 9, 1836, and now remaining in the  
 10401 State of Michigan, which treaty is in the words and figures fol-  
 10402 lowing, to wit :

10403       Articles of agreement and convention made and concluded  
 10404 at the city of Detroit, in the State of Michigan, this second day  
 10405 of August, one thousand eight hundred and fifty-five, between  
 10406 George W. Manypenny and Henry C. Gilbert, commissioners on  
 10407 the part of the United States, and the Chippewa Indians of  
 10408 Saginaw, parties to the treaty of January 14, 1837, and that  
 10409 portion of the band of Chippewa Indians of Swan Creek and  
 10410 Black River, parties to the treaty of May 9, 1836, and now  
 10411 remaining in the State of Michigan.

10412       In view of the existing condition of the Indians aforesaid,  
 10413 and of their legal and equitable claims against the United  
 10414 States, it is agreed between the contracting parties as follows,  
 10415 viz :

10416       ARTICLE 1. The United States will withdraw from sale, for  
 10417 the benefit of said Indians, as herein provided, all the unsold  
 10418 public lands within the State of Michigan, embraced in the fol-  
 10419 lowing description, to wit :

10420       First. Six adjoining townships of land in the county of  
 10421 Isabella, to be selected by said Indians within three months  
 10422 from this date, and notice thereof given to their agent.

10423       Second. Townships Nos. 17 and 18 north, ranges 3, 4, and 5  
 10424 east.

10425       The United States will give to each of the said Indians, be-  
 10426 ing a head of a family, eighty acres of land ; and to each single  
 10427 person over twenty-one years of age, forty acres of land ; and  
 10428 to each family of orphan children under twenty-one years of  
 10429 age, containing two or more persons, eighty acres of land ; and  
 10430 to each single orphan child under twenty-one years of age, forty  
 10431 acres of land ; to be settled and located within the several tracts  
 10432 of land hereinbefore described, under the same rules and regu-  
 10433 lations, in every respect, as are provided by the agreement con-  
 10434 cluded on the 31st day of July, A. D. 1855, with the Ottawas  
 10435 and Chippewas of Michigan, for the selection of their lands.

10436       And the said Chippewas of Saginaw and Swan Creek and  
 10437 Black River shall have the same exclusive right to enter lands  
 10438 within the tracts withdrawn from sale for them for five years  
 10439 after the time limited for selecting the lands to which they are  
 10440 individually entitled, as is extended to the Ottawas and Chip-  
 10441 pewas by the terms of said agreement.

10442       And the provisions therein contained relative to the pur-

chase and sale of land for school-houses, churches, and educational purposes, shall also apply to this agreement.

ARTICLE 2. The United States shall also pay to the said Indians the sum of two hundred and twenty thousand dollars, in manner following, to wit:

First. Thirty thousand dollars for educational purposes, to be paid in five equal annual instalments of four thousand dollars each, and in five subsequent equal annual instalments of two thousand dollars each, to be expended under the direction of the President of the United States.

Second. Forty thousand dollars, in five equal annual instalments of five thousand dollars each, and in five subsequent equal annual instalments of three thousand dollars each, in agricultural implements and carpenters' tools, household furniture and building materials, cattle, labor, and all such articles as may be necessary and useful for them in removing to the homes herein provided, and getting permanently settled thereon.

Third. One hundred and thirty-seven thousand and six hundred dollars in coin, in ten equal instalments of ten thousand dollars each, and in two subsequent equal annual instalments of eighteen thousand and eight hundred dollars each, to be distributed *per capita* in the usual manner for paying annuities.

Fourth. Twelve thousand and four hundred dollars for the support of one blacksmith-shop for ten years.

The United States will also build a grist and saw mill for said Indians at some point in the territory, to be selected by them in said county of Isabella, provided a suitable water-power can be found, and will furnish and equip the same with all necessary fixtures and machinery, and will construct such dam, race, and other appurtenances as may be necessary to render the water-power available: *Provided*, That the whole amount for which the United States shall be liable under this provision shall not exceed the sum of eight thousand dollars.

The United States will also pay the further sum of four thousand dollars for the purpose of purchasing a saw-mill, and in repair of the same, and in adding thereto the necessary machinery and fixtures for a run of stone for grinding grain; the same to be located on the tract described in clause "second," Article 1.

The United States will also pay the further sum of twenty thousand dollars, or so much thereof as may be necessary, to be applied in liquidation of the present just indebtedness of the said Indians: *Provided*, That all claims presented shall be investigated, under the direction of the Secretary of the Interior, within six months, who shall prescribe such rules and regulations for conducting such investigation, and for testing the validity and

10489 justice of the claims as he shall deem suitable and proper. And  
 10490 no claim shall be paid except on the certificate of the said Secre-  
 10491 tary that, in his opinion, the same is justly and equitably due ;  
 10492 and all claimants who shall not present their claims within such  
 10493 time as may be limited by said Secretary, or whose claims, hav-  
 10494 ing been presented, shall be disallowed by him, shall be forever  
 10495 precluded from collecting the same, or maintaining an action  
 10496 thereon in any court whatever: *And provided also*, That no por-  
 10497 tion of the money due said Indians for annuities, as herein pro-  
 10498 vided, shall ever be appropriated to pay their debts under any  
 10499 pretence whatever: *Provided*, That the balance of the amount  
 10500 herein allowed as a just increase for the sessions and relinquish-  
 10501 ments aforesaid, after satisfaction of the awards of the Secretary  
 10502 of the Interior, shall be paid to the said Indians, or expended  
 10503 for their benefit in such manner as the Secretary shall prescribe,  
 10504 in aid of any of the objects specified in this treaty.

10505 ARTICLE 3. The said Chippewas of Saginaw, and of Swan  
 10506 Creek and Black River, hereby cede to the United States all the  
 10507 lands within the State of Michigan heretofore owned by them as  
 10508 reservations, and whether held for them in trust by the United  
 10509 States or otherwise; and they do hereby, jointly and severally,  
 10510 release and discharge the United States from all liability to them,  
 10511 and to their or either of their said tribes, for the price and value  
 10512 of all such lands, heretofore sold, and the proceeds of which re-  
 10513 main unpaid.

10514 And they also hereby surrender all their and each of their  
 10515 permanent annuities, secured to them or either of them by  
 10516 former treaty stipulations, including that portion of the annuity  
 10517 of eight hundred dollars payable to "the Chippewas," by the  
 10518 treaty of November 17, 1807, to which they are entitled, it being  
 10519 distinctly understood and agreed that the grants and payments  
 10520 hereinbefore provided for are in lieu and satisfaction of all  
 10521 claims, legal and equitable, on the part of said Indians, jointly  
 10522 and severally, against the United States for land, money, or other  
 10523 thing guaranteed to said tribes, or either of them, by the stipu-  
 10524 lations of any former treaty or treaties.

10225 ARTICLE 4. The entries of land heretofore made by Indians  
 10526 and by the Missionary Society of the Methodist Episcopal  
 10527 Church for the benefit of the Indians, on lands withdrawn from  
 10528 sale in townships 14 north, range 4 east, and 10 north, range 5  
 10529 east, in the State of Michigan, are hereby confirmed, and patents  
 10530 shall be issued therefor as in other cases.

10531 ARTICLE 5. The United States will provide an interpreter  
 10532 for said Indians for five years, and as much longer as the Presi-  
 10533 dent may deem necessary.

10534 ARTICLE 6. The tribal organization of said Indians, except

10535 so far as may be necessary for the purpose of carrying into effect  
10536 the provisions of this agreement, is hereby dissolved.

10537 ARTICLE 7. This agreement shall be obligatory and binding  
10538 on the contracting parties as soon as the same shall be ratified  
10539 by the President and Senate of the United States.

10540 Proclaimed June 21, 1856.

10541 *Treaty between the United States of America and the Chippewa In-*  
10542 *dians of Saginaw, Swan Creek, and Black River, Michigan,*  
10543 *concluded October 18, 1864; ratification advised, with*  
10544 *amendments, May 22, 1866; amendments accepted June 18,*  
10545 *1866.*

10546 ANDREW JOHNSON, President of the United States of America,  
10547 to all and singular to whom these presents shall come,  
10548 greeting :

10549 Whereas a treaty was made and concluded at Isabella, in  
10550 the State of Michigan, on the eighteenth day of October, in the  
10551 year of our Lord one thousand eight hundred and sixty-four, by  
10552 and between H. J. Alvord and D. C. Leach, commissioners on  
10553 the part of the United States; and S. D. Simonds, Lyman Ben-  
10554 nett, Jno. Pay-me-qu-ung, and other chiefs and head-men of the  
10555 Chippewa Indians of the Saginaw, Swan Creek, and Black  
10556 River, in the State of Michigan, representing said Indians, and  
10557 duly authorized thereto by them, which treaty is in the words  
10558 and figures following, to wit :

10559 Articles of agreement and convention made and concluded at  
10560 the Isabella Indian reservation, in the State of Michigan,  
10561 on the eighteenth day of October, in the year one thousand  
10562 eight hundred and sixty-four, between H. J. Alvord, special  
10563 commissioner of the United States, and D. C. Leach, United  
10564 States Indian agent, acting as commissioners for and on the  
10565 part of the United States, and the Chippewas of Saginaw.  
10566 Swan Creek, and Black River, in the State of Michigan  
10567 aforesaid, parties to the treaty of August 2d, 1855, as fol-  
10568 lows, viz :

10569 ARTICLE 1. The said Chippewas of Saginaw, Swan Creek,  
10570 and Black River, for and in consideration of the conditions here-  
10571 inafter specified, do hereby release to the United States the sev-  
10572 eral townships of land reserved to said tribe by said treaty  
10573 aforesaid, situate and being upon Saginaw Bay, in said State.

10574 The said Indians also agree to relinquish to the United  
10575 States all claim to any right they may possess to locate lands in  
10576 lieu of lands sold or disposed of by the United States upon  
10577 their reservation at Isabella, and also the right to purchase the

10578 unselected lands in said reservation, as provided for in the first  
10579 article of said treaty.

10580 ARTICLE 2. In consideration of the foregoing relinquish-  
10581 ments, the United States hereby agree to set apart for the ex-  
10582 clusive use, ownership, and occupancy of the said *of the said*  
10583 Chippewas of Saginaw, Swan Creek, and Black River, all of the  
10584 unsold lands within the six townships in Isabella County, re-  
10585 served to said Indians by the treaty of August 2, 1855, aforesaid,  
10586 and designated as follows, viz:

10587 The north half of township fourteen, and townships fifteen  
10588 and sixteen north, of range three west; the north half of town-  
10589 ship fourteen and township fifteen north, of range four west,  
10590 and townships fourteen and fifteen north, of range five west.

10591 ARTICLE 3. So soon as practicable after the ratification of  
10592 this treaty, the persons who have heretofore made selections of  
10593 lands within the townships upon Saginaw Bay, hereby relin-  
10594 quished, may proceed to make selections of lands upon the Isa-  
10595 bella reservation in lieu of their selections aforesaid, and in  
10596 like quantities.

10597 After a reasonable time shall have been given for the parties  
10598 aforesaid to make their selections in lieu of those relinquished,  
10599 the other persons entitled thereto may then proceed to make  
10600 their selections, in quantities as follows, viz:

10601 For each chief of said Indians who signs this treaty, eighty  
10602 acres in addition to their selections already made, and to patents  
10603 in fee simple.

10604 For one head-man in each band into which said Indians are  
10605 now divided, forty acres, and to patents in fee simple.

10606 For each person being the head of a family, eighty acres.

10607 For each single person over the age of twenty-one years,  
10608 forty acres.

10609 For each orphan child under the age of twenty-one years,  
10610 forty acres.

10611 For each married female who has not heretofore made a  
10612 selection of land, forty acres.

10613 And for each other person now living, or who may be born  
10614 hereafter, when he or she shall have arrived at the age of twenty-  
10615 one years, forty acres, so long as any of the lands in said reserve  
10616 shall remain unselected, and no longer.

10617 In consideration of important services rendered to said  
10618 Indians during many years past, by William Smith, John Col-  
10619 lins 1st, Andrew J. Campeau, and Thomas Chatfield, it is here-  
10620 by agreed that they shall each be allowed to select eighty acres  
10621 in addition to their previous selections, and receive patents there-  
10622 for in fee simple; and to Charles H. Rodd, eighty acres, and a  
10623 patent therefor in fee simple, to be received by said Rodd as a

10624 full consideration and payment of all claims he may have against  
 10625 said Indians, except claims against individuals for services ren-  
 10626 dered or money expended heretofore by said Rodd for the benefit  
 10627 of said Indians.

10628 It is understood and agreed that those Ottawas and Chippe-  
 10629 was and Pottawatomies now belonging to the bands of which Met-  
 10630 ayomeig, May-me-she-gaw-day, Keche-kebe-me-mo-say, and Waw-  
 10631 be-maw-ing-gun are chiefs, who have heretofore made selections  
 10632 upon said reservations, by permission of said Chippewas of Sagi-  
 10633 naw, Swan Creek, and Black River, who now reside upon said reser-  
 10634 vation in Isabella County, or who may remove to said reservation  
 10635 within one year after the ratification of this treaty, shall be en-  
 10636 titled to the same rights and privileges to select and hold land  
 10637 as are contained in the third article of this agreement.

10638 So soon as practicable after the ratification of this treaty,  
 10639 the agent for the said Indians shall make out a list of all those  
 10640 persons who have heretofore made selections of lands under the  
 10641 treaty of August 2d, 1855, aforesaid, and of those who may be  
 10642 entitled to selections under the provisions of this treaty, and he  
 10643 shall divide the persons enumerated in said list into two classes,  
 10644 viz, "competent" and "those not so competent."

10645 Those who are intelligent, and have sufficient education,  
 10646 and are qualified by business habits to prudently manage their  
 10647 affairs, shall be set down as "competents," and those who are  
 10648 uneducated, or unqualified in other respects to prudently man-  
 10649 age their affairs, or who are of idle, wandering, or dissolute  
 10650 habits, and all orphans, shall be set down as "those not so com-  
 10651 petent."

10652 The United States agrees to issue patents to all persons  
 10653 entitled to selections under this treaty, as follows, viz: To those  
 10654 belonging to the class denominated "competents," patents shall  
 10655 be issued in fee simple, but to those belonging to the class of  
 10656 "those not so competent," the patent shall contain a provision  
 10657 that the land shall never be sold or alienated to any person or  
 10658 persons whomsoever, without the consent of the Secretary of the  
 10659 Interior for the time being.

10660 ARTICLE 4. The United States agrees to expend the sum of  
 10661 twenty thousand dollars for the support and maintenance of a  
 10662 manual-labor school upon said reservation: *Provided*, That the  
 10663 Missionary Society of the Methodist Episcopal Church shall,  
 10664 within three years after the ratification of this treaty, at its own  
 10665 expense, erect suitable buildings for school and boarding-house  
 10666 purposes, of a value of not less than three thousand dollars, upon  
 10667 the southeast quarter of section nine, township fourteen north,  
 10668 of range four west, which is hereby set apart for that purpose

10669 The superintendent of public instruction, the lieutenant

10670 governor of the State of Michigan, and one person to be desig-  
 10671 nated by said missionary society, shall constitute a board of  
 10672 visitors, whose duty it shall be to visit said school once during  
 10673 each year, and examine the same, and investigate the character  
 10674 and qualifications of its teachers and all other persons con-  
 10675 nected therewith, and report thereon to the Commissioner of  
 10676 Indian Affairs.

10677 The said Missionary Society of the Methodist Episcopal  
 10678 Church shall have full and undisputed control of the manage-  
 10679 ment of said school and the farm attached thereto. Upon the  
 10680 approval and acceptance of the school and boarding-house  
 10681 buildings by the board of visitors, the United States will pay  
 10682 to the authorized agent of said missionary society, for the sup-  
 10683 port and maintenance of the school, the sum of two thousand  
 10684 dollars, and the like sum annually thereafter until the whole  
 10685 sum of twenty thousand dollars shall have been expended.

10686 The United States reserves the right to suspend the an-  
 10687 nual appropriation of two thousand dollars for said school, in part  
 10688 or in whole, whenever it shall appear that said missionary society  
 10689 neglects or fails to manage the affairs of said school and farm in  
 10690 a manner acceptable to the board of visitors aforesaid; and if, at  
 10691 any time within a period of ten years after the establishment  
 10692 of said school, said missionary society shall abandon said school  
 10693 or farm for the purposes intended in this treaty, then, and in  
 10694 such case, said society shall forfeit all of its rights in the lands,  
 10695 buildings, and franchises under this treaty, and it shall then be  
 10696 competent for the Secretary of the Interior to sell or dispose of  
 10697 the land hereinbefore designated, together with the buildings  
 10698 and improvements thereon, and expend the proceeds of the same  
 10699 for the educational interests of the Indians in such manner as  
 10700 he may deem advisable.

10701 At the expiration of ten years after the establishment of  
 10702 said school, if said missionary society shall have conducted  
 10703 said school and farm in a manner acceptable to the board of  
 10704 visitors during said ten years, the United States will convey to  
 10705 said society the land before mentioned by patent in trust for  
 10706 the benefit of said Indians.

10707 In case said missionary society shall fail to accept the trust  
 10708 herein named within one year after the ratification of this  
 10709 treaty, then, and in that case, the said twenty thousand dollars  
 10710 shall be placed to the credit of the educational fund of said In-  
 10711 dians, to be expended for their benefit in such manner as the  
 10712 Secretary of the Interior may deem advisable.

10713 It is understood and agreed that said missionary society  
 10714 may use the school-house now standing upon land adjacent

10715 to the land hereinbefore set apart for a school-farm where it  
10716 now stands, or move it upon the land so set apart.

10717 ARTICLE 5. The said Indians agree that, of the last two  
10718 payments of eighteen thousand eight hundred dollars each,  
10719 provided for by the said treaty of August second, eighteen hun-  
10720 dred and fifty-five, the sum of seventeen thousand six hundred  
10721 dollars may be withheld, and the same shall be placed to the  
10722 credit of their agricultural fund, to be expended for their benefit  
10723 in sustaining their blacksmith-shop, in stock, animals, agri-  
10724 cultural implements, or in such other manner as the Secretary  
10725 of the Interior may deem advisable.

10726 ARTICLE 6. The Commissioner of Indian Affairs may, at  
10727 the request of the chiefs and head-men, sell the mill and land  
10728 belonging thereto at Isabella City, on said reservation, and  
10729 apply the proceeds thereof for such beneficiary objects as may  
10730 be deemed advisable by the Secretary of the Interior.

10731 ARTICLE 7. Inasmuch as the mill belonging to said Indians  
10732 is partly located upon land heretofore selected by James Nichol-  
10733 son, it is hereby agreed that upon a relinquishment of ten acres  
10734 of said land by said Nicholson, in such form as may be deter-  
10735 mined by the agent for said Indians, he, the said Nicholson,  
10736 shall be entitled to select eighty acres of land, subject to the  
10737 approval of the Secretary of the Interior, and to receive a  
10738 patent therefor in fee simple.

10739 ARTICLE 8. It is hereby expressly understood that the  
10740 eighth article of the treaty of August second, eighteen hun-  
10741 dred and fifty-five, shall in no wise be affected by the terms of  
10742 this treaty.

10743 Proclaimed 16th August, 1866.

10744 CHIPPEWAS—BOIS FORTE BAND.

10745 *Treaty between the United States of America and the Bois Forte*  
10746 *band of Chippewa Indians ; concluded April 7, 1866 ; ratifi-*  
10747 *cation advised, with amendment, April 26, 1866 ; amendment*  
10748 *accepted, April 28, 1866.*

10749 ANDREW JOHNSON, President of the United States of America,  
10750 to all and singular to whom these presents shall come,  
10751 greeting :

10752 Whereas a treaty was made and concluded at the city of  
10753 Washington, in the District of Columbia, on the seventh day of  
10754 April, in the year of our Lord one thousand eight hundred and  
10755 sixty-six, by and between Dennis N. Cooley and E. E. L. Taylor,

10756 commissioners on the part of the United States, and Gabe-  
 10757 shecodaway or Going through the Prairie, Babawmadjewesheang  
 10758 or Mountain Traveller, and others, chiefs, head-men, and war-  
 10759 riors of the Bois Forte band of Chippewa Indians, on the part  
 10760 of said band of Indians, and duly authorized thereto by them,  
 10761 which treaty is in the words and figures following, to wit:

10762 Articles of a treaty made and concluded at Washington, Dis-  
 10763 trict of Columbia, this seventh day of April, in the year of  
 10764 our Lord one thousand eight hundred and sixty-six, by and  
 10765 between the United States, party of the first part, by their  
 10766 commissioners, D. N. Cooley, Commissioner of Indian Affairs,  
 10767 and E. E. L. Taylor, thereunto duly authorized, and the  
 10768 Bois Forte band of Chippewa Indians, parties of the second  
 10769 part, by the undersigned chiefs, head-men, and warriors of  
 10770 said bands, thereunto duly authorized.

10771 ARTICLE 1. The peace and friendship now existing between  
 10772 the United States and said Bois Forte bands of Indians shall  
 10773 be perpetual.

10774 ARTICLE 2. In consideration of the agreements, stipula-  
 10775 tions, and undertakings to be performed by the United States,  
 10776 and hereinafter expressed, the Bois Forte bands of Chippewas  
 10777 have agreed to, and do hereby, cede and forever relinquish and  
 10778 surrender to the United States all their right, title, claim, and  
 10779 interest in and to all lands and territory heretofore claimed,  
 10780 held, or possessed by them, and lying east of the boundary line  
 10781 mentioned and established in and by the first article of the  
 10782 treaty made and concluded by and between the United States  
 10783 of the one part, and the Chippewas of Lake Superior and the  
 10784 Mississippi of the other part, on the 30th day of September,  
 10785 A. D. 1854, and more especially in and to all that portion of  
 10786 said territory heretofore claimed and occupied by them at and  
 10787 near Lake Vermillion as a reservation. The Bois Forte band of  
 10788 Chippewas in like manner cede and relinquish forever to the  
 10789 United States all their claim, right, title, and interest in and to  
 10790 all lands and territory lying westerly of said boundary line, or  
 10791 elsewhere within the limits of the United States.

10792 ARTICLE 3. In consideration of the foregoing cession and  
 10793 relinquishment, the United States agree to and will perform the  
 10794 stipulations, undertakings, and agreements following, that is  
 10795 to say:

10796 1st. There shall be set apart within one year after the date  
 10797 of the ratification of this treaty, under the direction of the Presi-  
 10798 dent of the United States, within the Chippewa country, for the  
 10799 perpetual use and occupancy of said Bois Forte band of Chip-  
 10800 pewas, a tract of land of not less than one hundred thousand  
 10801 acres, the said location to include a lake known by the name of

10802 Netor As-sab-a-co-na, if, upon examination of the country by the  
 10803 agent sent by the President of the United States to select the  
 10804 said reservation, it is found practicable to include the said lake  
 10805 therein, and also one township of land on the Grand Fork River,  
 10806 at the mouth of Deer Creek, if such location shall be found  
 10807 practicable.

10808 2d. The United States will, as soon as practicable after the  
 10809 setting apart of the tract of country first above mentioned, erect  
 10810 thereon, without expense to said Indians, one blacksmith's shop,  
 10811 to cost not exceeding five hundred dollars; one school-house, to  
 10812 cost not exceeding five hundred dollars; and eight houses for  
 10813 their chiefs, to cost not exceeding four hundred dollars each;  
 10814 and a building for an agency house and storehouse for the stor-  
 10815 age of goods and provisions, to cost not exceeding two thousand  
 10816 dollars.

10817 3d. The United States will expend annually for and in  
 10818 behalf of said Bois Forte band of Chippewas, for and during  
 10819 the term of twenty years from and after the ratification of this  
 10820 treaty, the several sums and for the purposes following, to wit :  
 10821 For the support of one blacksmith and assistant, and for tools,  
 10822 iron, and steel, and other articles necessary for the blacksmith's  
 10823 shop, fifteen hundred dollars; for one school-teacher, and the  
 10824 necessary books and stationery for the school, eight hundred  
 10825 dollars, the chiefs in council to have the privilege of selecting,  
 10826 with the approval of the Secretary of the Interior, the religious  
 10827 denomination to which the said teacher shall belong ; for instruc-  
 10828 tions of the said Indians in farming, and the purchase of seeds,  
 10829 tools, &c., for that purpose, eight hundred dollars; and for  
 10830 annuity payments, the sum of eleven thousand dollars, three  
 10831 thousand five hundred dollars of which shall be paid to them in  
 10832 money per capita, one thousand dollars in provisions, ammuni-  
 10833 tion, and tobacco, and six thousand five hundred dollars to be  
 10834 distributed to them in goods and other articles suited to their  
 10835 wants and condition.

10836 ARTICLE 4. To enable the chiefs, head-men, and warriors  
 10837 now present to establish their people upon the new reservation,  
 10838 and to purchase useful articles and presents for their people, the  
 10839 United States agree to pay to them, upon the ratification of this  
 10840 treaty, the sum of thirty thousand dollars, to be expended under  
 10841 the direction of the Secretary of the Interior.

10842 ARTICLE 5. In consideration of the services heretofore ren-  
 10843 dered to the said Indians by Francis Roussaire, senior, Francis  
 10844 Roussaire, jr., and Peter E. Bradshaw, it is hereby agreed that  
 10845 the said persons shall each have the right to select one hundred  
 10846 and sixty acres of land, not mineral lands, and to receive pat-  
 10847 ents therefor from the United States; and for the like services

10848 to the Indians, the following named persons, to wit: Peter Roy,  
10849 Joseph Gurnoe, Francis Roy, Vincent Roy, Eustace Roussaire,  
10850 and D. George Morrison, shall each have the right to select  
10851 eighty acres of land, not mineral lands, and to receive from the  
10852 United States patents therefor.

10853 ARTICLE 6. It is further agreed that all payments of annu-  
10854 ities to the Bois Forte band of Chippewas shall be made upon  
10855 their reservation if, upon examination, it shall be found prac-  
10856 ticable to do so.

10857 ARTICLE 7. It is agreed by and between the parties hereto  
10858 that, upon the ratification of this treaty, all former treaties  
10859 existing between them inconsistent herewith shall be, and the  
10860 same are hereby, abrogated and made void to all intents and  
10861 purposes; and the said Indians hereby relinquish any and all  
10862 claims for arrears of payments claimed to be due under such  
10863 treaties, or that are hereafter to fall due under the provisions of  
10864 the same, except that as to the third clause of the twelfth article  
10865 of the treaty of September 30, 1854, providing for a blacksmith,  
10866 smith-shop, supplies, and instructions in farming, the same shall  
10867 continue in full force and effect, but the benefits thereof shall  
10868 be transferred to the Chippewas of Lake Superior.

10869 ARTICLE 8. The United States also agree to pay the neces-  
10870 sary expenses of transportation and subsistence of the delegates  
10871 who have visited Washington for the purpose of negotiating  
10872 this treaty, not exceeding the sum of ten thousand dollars.

10873 Proclaimed April 26, 1866.

#### 10874 CHIPPEWAS—SAGINAW TRIBE.

10875 *Articles of a treaty made and concluded at Detroit, in the State of*  
10876 *Michigan, on the fourteenth day of January, in the year of our*  
10877 *Lord eighteen hundred and thirty-seven, between the United*  
10878 *States of America, by their commissioner, Henry R. Schoolcraft,*  
10879 *and the Saganaw tribe of the Chippewa Nation, by their chiefs*  
10880 *and delegates, assembled in council.*

10881 ARTICLE 1. The said tribe cede to the United States the  
10882 following tracts of land, lying within the boundaries of Michi-  
10883 gan; namely: One tract of eight thousand acres, on the river  
10884 Au Sable. One tract of two thousand acres, on the *Misho-wusk*  
10885 or Rifle River. One tract of six thousand acres, on the north  
10886 side of the river *Kawkawling*. One tract of five thousand seven  
10887 hundred and sixty acres upon Flint River, including the site of  
10888 Reaums village, and a place called *Kishkawba-wee*. One tract of

10889 eight thousand acres on the head of the Cass (formerly Huron)  
 10890 River, at the village of Otussun. One island in the Saganaw  
 10891 Bay, estimated at one thousand acres, being the island called  
 10892 *Shaingwaunkaug*, on which *Mukokoosh* formerly lived. One  
 10893 tract of two thousand acres at *Nababish*, on the Saganaw River.  
 10894 One tract of one thousand acres, on the east side of the Saganaw  
 10895 River. One tract of six hundred and forty acres, at Great Bend,  
 10896 on Cass River. One tract of two thousand acres at the mouth  
 10897 of Point Augrais River. One tract of one thousand acres, on  
 10898 the Cass River, at *Menoquet's* village. One tract of ten thousand  
 10899 acres on the *Shiawassee* River at *Ketchewaundaugumink* or Big  
 10900 Lick. One tract of six thousand acres at the Little Forks, on  
 10901 the *Tetabwasing* River. One tract of six thousand acres at the  
 10902 Black-Birds' town, on the *Tetabwasing* River. One tract of  
 10903 forty thousand acres, on the west side of the Saganaw River.  
 10904 The whole containing one hundred and two thousand four hun-  
 10905 dred acres, be the same more or less.

10906 ARTICLE 2. The said Indians shall have the right of living  
 10907 upon the tracts at the river Augrais, and Mushowusk or Rifle  
 10908 Rivers, on the west side of Saganaw Bay, for the term of five  
 10909 years, during which time no white man shall be allowed to settle  
 10910 on said tracts, under a penalty of five hundred dollars, to be re-  
 10911 covered at the suit of the informer; one-half to the benefit of  
 10912 said informer, the other half to the benefit of the Indians.

10913 ARTICLE 3. The United States agree to pay to the said  
 10914 Indians, in consideration of the lands above ceded, the net pro-  
 10915 ceeds of the sales thereof, after deducting the expense of sur-  
 10916 vey and sale, together with the incidental expenses of this treaty.  
 10917 The lands shall be surveyed in the usual manner, and offered  
 10918 for sale, as other public lands, at the land offices of the proper  
 10919 districts, as soon as practicable after the ratification of this  
 10920 treaty. A special account of the sales shall be kept at the Trea-  
 10921 sury, indicating the receipts from this source, and after deduct-  
 10922 ing therefrom the sums hereinafter set apart for specified ob-  
 10923 jects, together with all other sums justly chargeable to this fund,  
 10924 the balance shall be invested, under the direction of the Presi-  
 10925 dent, in some public stock, and the interest thereof shall be an-  
 10926 nually paid to the said tribe, in the same manner and with the  
 10927 same precautions that annuities are paid: *Provided*. That if the  
 10928 said Indians shall, at the expiration of twenty years, or at any  
 10929 time thereafter, require the said stock to be sold, and the pro-  
 10930 ceeds thereof distributed among the whole tribe, or applied to  
 10931 the advancement of agriculture, education, or any other useful  
 10932 object, the same may be done, with the consent of the President  
 10933 and Senate.

10934 ARTICLE 4. The said Indians hereby set apart, out of the

10935 fund created by the sale of their lands, the following sums,  
10936 namely :

10937       For a special payment to each of the principal chiefs, agreea-  
10938 bly to a schedule annexed, five thousand dollars.

10939       For the support of schools among their children, ten thou-  
10940 sand dollars.

10941       For the payment of their just debts, accruing since the treaty  
10942 of Ghent, and before the signing of this treaty, forty thousand  
10943 dollars.

10944       For compensating American citizens, upon whose property  
10945 this tribe committed depredations after the surrender of Detroit  
10946 in 1812, ten thousand dollars.

10947       For meeting the payment of claims which have been consid-  
10948 ered and allowed by the chiefs and delegates in council, as per  
10949 schedule B hereunto annexed, twelve thousand two hundred and  
10950 forty-three dollars and seventy-five cents.

10951       For vaccine matter, and the services of a physician, one  
10952 hundred dollars per annum for five years.

10953       For the purchase of tobacco to be delivered to them, two  
10954 hundred dollars per annum for five years.

10955       The whole of these sums shall be expended under the direc-  
10956 tion of the President, and the following principles shall govern  
10957 the application: The goods and provisions shall be purchased  
10958 by an agent or officer of the Government, on contract, and de-  
10959 livered to them, at their expense, as early as practicable after  
10960 the ratification of the treaty. The annuity of ten thousand dol-  
10961 lars shall be divided among the heads of families, agreeably to  
10962 a census, to be taken for the purpose. The school fund shall be  
10963 put at interest, by investment in stocks, and the interest applied  
10964 annually to the object, commencing in the year 1840, but the  
10965 principal shall constitute a permanent fund for twenty years,  
10966 nor shall the stock be sold, nor the proceeds diverted, at *that*  
10967 period, without the consent of the President and Senate.

10968       The monies set apart for the liquidation of their debts, and  
10969 for depredations committed by them, shall be paid, under such  
10970 precautions for ascertaining the justice of the indebtedness or  
10971 claim, as the President may direct, but no payment shall be made,  
10972 under either head, which is not supported by satisfactory proof,  
10973 and sanctioned by the Indians; and if any balance of either  
10974 sum remains it shall be immediately divided by the disbursing  
10975 officer among the Indians. The other items of expenditure  
10976 mentioned in this article shall be disbursed, under the usual  
10977 regulations of the Indian Department for insuring faithfulness  
10978 and accountability in the application of the money.

10979       ARTICLE 5. The United States will advance the amount set  
10980 apart in the preceding article for the purchase of goods and pro-

visions, and the payment of debts and depredations by the Indians; also the several sums stipulated to be paid to the chiefs, and distributed to the Indians as an annuity in 1837, and the amount set apart for claims allowed by the Indians, together with the expense of this negotiation.

ARTICLE 6. The said tribe agrees to remove from the State of Michigan as soon as a proper location can be obtained. For this purpose a deputation shall be sent to view the country occupied by their kindred tribes, west of the most westerly point of Lake Superior, and if an arrangement for their future and permanent residence can be made in that quarter, which shall be satisfactory to them and to the Government, they shall be permitted to form a reunion with such tribes, and remove thereto. If such arrangement cannot be effected, the United States will afford its influence in obtaining a location for them at such place west of the Mississippi and southwest of the Missouri as the legislation of Congress may indicate. The agency of the exploration, purchase, and removal will be performed by the United States, but the expenses attending the same shall be chargeable to said Indians at the Treasury, to be refunded out of the proceeds of their lands at such time and in such manner as the Secretary of the Treasury shall deem proper.

ARTICLE 7. It is agreed that the smith's shop shall be continued among the Saganaws, together with the aid in agriculture, farming utensils, and cattle secured to them under the treaty of September 24th, 1819, as fixed, in amount, by the act of Congress, May 15th, 1820. But the President is authorized to direct the discontinuance of the stated farmers should he deem proper, and the employment of a supervisor or overseer, to be paid out of this fund, who shall procure the services, and make the purchases required, under such instructions as may be issued by the proper department. And the services shall be rendered, and the shop kept, at such place or places as may be most beneficial to the Indians. It shall be competent for the Government, at the request of the Indians seasonably made, to furnish them agricultural products, or horses and saddlery, in lieu of said services, whenever the fund will justify it: *Provided*, That the whole annual expense, including the pay of the supervisor, shall not exceed the sum of two thousand dollars, fixed by the act herein above referred to.

ARTICLE 8. The United States agree to pay to the said tribe, as one of the parties to the treaty concluded at Detroit on the 17th of November, 1807, the sum of one thousand dollars, to quiet their claim to two reservations of land, of two sections each, lying in Oakland County, in the State of Michigan, which were ceded to the Government by the Pottowattomies of St.

11027 Joseph's on the nineteenth of September, 1827. This sum will  
 11028 be paid to the chiefs who are designated in the schedule referred  
 11029 to in the fourth article, at the same time and place that the  
 11030 annuities for the present year are paid to the tribe. And the  
 11031 said tribe hereby relinquish and acknowledge full satisfaction for  
 11032 any claim they now have, or have ever possessed, to the reser-  
 11033 vations aforesaid.

11034 ARTICLE 9. Nothing in this treaty shall be construed to  
 11035 affect the payment of any annuity due to the said tribe by any  
 11036 prior treaty. But the same shall be paid as heretofore.

11037 ARTICLE 10. Abrogated by Article 4 of Treaty of December  
 11038 20, 1837, page 251.

11039 ARTICLE 11. The usual expenses attending the formation of  
 11040 this treaty will be paid by the United States, provided that  
 11041 the Government may, in the discretion of the President, direct  
 11042 the one moiety thereof to be charged to the Indian fund created  
 11043 by the third article of this treaty.

11044 Proclaimed July 2, 1838.

11045 *Schedule of the names of chiefs entitled to payments under the fourth*  
 11046 *and eighth articles of the foregoing treaty.*

11047 The following chiefs, representing the several bands of the  
 11048 tribe of the Saganaws, are entitled to receive the several sums  
 11049 of five hundred and one hundred dollars each, to wit:

- 11050 1. Ogima Kegido.
- 11051 2. Shawun, Epenaysse.
- 11052 3. Naum Gitchegome.
- 11053 4. Mauk Esaub.
- 11054 5. Muckuk, Kosh.
- 11055 6. Peteway, Weetum.
- 11056 7. Paypah, Monshee.
- 11057 8. Tontagonnee.
- 11058 9. Wasse.
- 11059 10. Wahputo-ains.

11060 HENRY R. SCHOOLCRAFT,  
 11061 *Commissioner.*

11062 SCHEDULE B.

11063	To Wawasso .....	\$400 00
11064	Ke-she-ah-be-no qua, sister of Wawasso.....	400 00
11065	Ke-wah-ne-quot .....	400 00
11066	Peter Provencal.....	400 00
11067	Leon, or Oge-ma-ge-ke-to .....	400 00
11068	Moran, or Chemoquemont.....	200 00
11069	Ke-she-go-qua .....	200 00

11070	To Wetonsaw, son of James Connor.....	\$400 00
11071	Odis-pa-be-go-qua and children.....	800 00
11072	Pen-a-see.....	400 00
11073	Ozhe-me-ega.....	400 00
11074	Bourissa's wife, at river au Sable.....	800 00
11075	Nah-bwa-quo-una.....	400 00
11076	Muttoway-bun-gee.....	400 00
11077	Chonne.....	400 00
11078	Mah-in-gun.....	800 00
11079	Ma-conse.....	800 00
11080	J. P. Simonton.....	800 00
11081	Wabishkindib, or Henry Conner.....	3,243 75
11082	Peepegauaince.....	200 00

11083 *Articles supplementary to certain treaties between the United States*  
 11084 *and the Saganaw tribe of Chippewas.*

11085       ARTICLE 1. Whereas the said tribe have, by the treaty of  
 11086 the 14th January, 1837, ceded to the United States all their  
 11087 reserves of land in the State of Michigan, on the principle of  
 11088 said reserves being sold at the public land-offices for their benefit,  
 11089 and the actual proceeds being paid to them, as farther defined  
 11090 by stipulations contained in the amendments to said treaty of  
 11091 the 20th December, 1837, and of the 23d January, 1838; and  
 11092 whereas it is required by a subsequent law of Congress to erect  
 11093 a light-house on one of said reserves, called Na-bo-bish tract,  
 11094 lying at the mouth of the Saganaw River, and to reserve so much  
 11095 of the same from sale as may be necessary: It is therefore hereby  
 11096 agreed by the said tribe that for and in consideration of the sum  
 11097 of eight dollars per acre, one-sixteenth of a section of said tract,  
 11098 situated as aforesaid, shall be, and the same is hereby, appro-  
 11099 priated and set apart to be located and disposed of in any man-  
 11100 ner the President may direct. And the same shall be reserved  
 11101 from sale, and all claim to any proceeds therefrom, except the  
 11102 sum hereinbefore stipulated, is fully, completely, and forever  
 11103 relinquished by said tribe.

11104       ARTICLE 2. This compact shall be submitted to the Presi-  
 11105 dent and Senate of the United States, to be approved by them,  
 11106 whereupon possession of the land may be immediately taken,  
 11107 and the usufructory right of the Indians thereto shall cease.

11108       Proclaimed March 2, 1839.

11109 *Supplementary article to a certain treaty between the United States*  
 11110 *and the Chippewa chiefs of Saganaw, concluded at Lower Sag-*  
 11111 *anaw, on the seventh day of February, eighteen hundred and*  
 11112 *thirty-nine.*

11113       ARTICLE 1. Whereas by the first article of the aforesaid  
 11114 treaty, the chiefs stipulate to sell to the United States forty

11115 acres of land to be located on the Na-bo-bish tract at the mouth  
 11116 of Saganaw river, for the purpose of erecting thereon a light-  
 11117 house:

11118 Now, provided the President of the United States should  
 11119 prefer forty acres on the tract known as the forty-thousand-  
 11120 acre reservation, at the mouth of the aforesaid river, he is fully  
 11121 authorized by these presents to change the location from the Na-  
 11122 bo-bish tract to the said forty-thousand-acre reservation.

11123 Proclaimed March 2, 1839.

11124 *Articles of a treaty made and concluded at Flint River, in the State*  
 11125 *of Michigan, on the twentieth day of December, eighteen hun-*  
 11126 *dred and thirty-seven, between the United States, by Henry R.*  
 11127 *Schoolcraft, commissioner duly authorized for that purpose,*  
 11128 *and acting superintendent of Indian affairs, and the Saganaw*  
 11129 *tribe of Chippewas.*

11130 ARTICLE 1. It is agreed that the sum of fifty cents per  
 11131 acre shall be retained out of every acre of land ceded by said  
 11132 tribe, by the treaty of the 14th of January, 1837, as an indem-  
 11133 nification for the location to be furnished for their future per-  
 11134 manent residence and to constitute a fund for emigrating  
 11135 thereto.

11136 ARTICLE 2. The United States agree to reserve a location  
 11137 for said tribe on the head-waters of the Osage River, in the  
 11138 country visited by a delegation of the said tribe during the  
 11139 present year, to be of proper extent agreeably to their numbers,  
 11140 embracing a due proportion of wood and water, and lying con-  
 11141 tiguous to tribes of kindred language. Nor shall anything con-  
 11142 tained in the sixth article of the treaty of the 14th January,  
 11143 1837, entitle them at this time to a location in the country west  
 11144 of Lake Superior.

11145 ARTICLE 3. Nothing embraced in the fifth article of said  
 11146 treaty shall obligate the United States, at the present time, to  
 11147 advance from the Treasury the entire amount appropriated by  
 11148 the said tribe in the fourth article of said treaty; but the Pres-  
 11149 ident shall have authority to direct such part of the said moneys  
 11150 to be paid for the objects indicated, so far as the same are not  
 11151 hereinafter modified, as he may deem proper: *Provided*, That  
 11152 the whole sum so advanced shall not exceed seventy-five thou-  
 11153 sand dollars. And the reduction shall be made upon the sev-  
 11154 eral items ratably, or in any other manner he may direct: *Pro-*  
 11155 *vided*, That the balance of said appropriations, or of any item  
 11156 or items thereof, shall be paid out of the proceeds of the ceded  
 11157 lands, as soon as the fund will permit and the President may  
 11158 direct.

11159       ARTICLE 4. The first and second clauses of the fourth ar-  
 11160 ticle of the treaty of the 14th of January, 1837, and the tenth  
 11161 article of said treaty are hereby abrogated; and in lieu thereof  
 11162 it is agreed that the United States shall pay to said tribe in each  
 11163 of the years 1838 and 1839, respectively, an annuity of five thou-  
 11164 sand dollars, and goods to the amount of ten thousand dollars,  
 11165 to be advanced by the Treasury, and to be refunded out of the  
 11166 first proceeds of their lands. But no further annuity, nor in any  
 11167 higher amounts, shall be paid to them by virtue of the treaty  
 11168 aforesaid, untill the same shall be furnished by the interest of  
 11169 the proceeds of their lands, vested in conformity with the pro-  
 11170 visions of the third article of said treaty.

11171       ARTICLE 5. Several of the chiefs entitled to payments by  
 11172 schedule A affixed to the treaty aforesaid having died within  
 11173 the year, it is agreed that the proportion of the fund to which  
 11174 they would have been entitled may be redivided in such man-  
 11175 ner as the President may direct.

11176       ARTICLE 6. No act of Congress shall confer upon any cit-  
 11177 izen or other person the right of pre-emption to any lands ceded  
 11178 to the United States by the treaty of the 14th of January, 1837,  
 11179 herein above referred to. Nor shall any construction be put  
 11180 upon any existing law respecting the public lands granting this  
 11181 right to any lands ceded by said treaty.

11182       ARTICLE 7. The United States will pay the expenses of this  
 11183 negotiation, together with the unpaid expenses of the prior ne-  
 11184 gotiations with said tribe of the 24th of May, 1836, and of the  
 11185 14th of January, 1837.

11186       Proclaimed July 3, 1838.

11187   CHIPPEWAS.—THE BANDS COMPREHENDED WITHIN  
 11188                   THE DISTRICT OF SAGINAW.

11189   *Articles of a treaty concluded at the city of Saginaw in Michigan,*  
 11190   *on the twenty-third day of January, eighteen hundred and*  
 11191   *thirty-eight, between the United States of America, by the un-*  
 11192   *dersigned commissioner, and the several bands of the Chippewa*  
 11193   *Nation comprehended within the district of Saginaw.*

11194       Whereas the chiefs of said bands have represented that  
 11195 combinations of purchasers may be formed, at the sale of their  
 11196 lands, for the purpose of keeping down the price thereof, both  
 11197 at the public and private sales, whereby the proceeds would be  
 11198 greatly diminished; and

11199       Whereas such a procedure would defeat some of the primary  
 11200 objects of the cession of the lands to the United States, and

11201 thereby originate difficulties to their early removal and expatri-  
11202 ation to the country west of the Mississippi; and

11203 Whereas full authority has been given to the undersigned,  
11204 respectively, on the part of the United States and the said  
11205 bands, to conclude and settle every question connected with the  
11206 sale and cession aforesaid :

11207 Now, therefore, to the end that justice may completely ensue,  
11208 the objects of both the contracting parties be attained, and peace  
11209 and friendship be preserved with said tribes, it is mutually  
11210 agreed as follows :

11211 ARTICLE 1. The lands ceded by the treaty of the 14th of  
11212 January, 1837, shall be offered for sale, by proclamation of the  
11213 President, and the sale shall be conducted in the same manner  
11214 as the laws require other lands to be sold : *But it is provided,*  
11215 That all lands brought into market under the authority of said  
11216 treaty shall be put up for sale by the register and receiver of  
11217 the respective land office at five dollars per acre, which is hereby  
11218 declared to be the minimum price thereof; and if this price is  
11219 not bid the sales shall be stopped; nor shall any such lands be  
11220 disposed of, either at public or private sales, for a sum less than  
11221 five dollars per acre, for and during the term of two years from  
11222 the commencement of the sale. Should any portion of said  
11223 lands remain unsold at the expiration of this time, the minimum  
11224 price shall be diminished to two dollars and fifty cents per acre,  
11225 at which price they shall be subject to entry until the whole  
11226 quantity is sold : *Provided,* That if any part of said lands remain  
11227 unsold at the expiration of five years from the date of the rati-  
11228 fication of this treaty, such lands shall fall under the provision  
11229 of third article of this treaty.

11230 ARTICLE 2. To provide against the contingency of any of  
11231 said lands remaining unsold, and to remove any objections to  
11232 emigrating, on the part of the Indians, based on such remainder,  
11233 it is hereby agreed that every such section, fractional section,  
11234 or other unsold remainder, shall, at the expiration of five years  
11235 from the ratification of this treaty, be sold for such sum as it  
11236 will command : *Provided,* That no such sale shall be made for  
11237 less than seventy-five cents per acre.

11238 ARTICLE 3. This treaty shall be binding from the date of  
11239 its constitutional ratification; but its validity shall not be affected  
11240 by any modification or non-concurrence of the President and  
11241 Senate in the third and fourth articles thereof.

11242 Proclaimed July 2, 1838.

## 11243 CHIPPEWAS OF SAULT STE. MARIE.

11244 FRANKLIN PIERCE, President of the United States of America,  
 11245 to all and singular to whom these presents shall come,  
 11246 greeting :

11247 Whereas a treaty was made and concluded at the city of  
 11248 Detroit, in the State of Michigan, the second day of August,  
 11249 eighteen hundred and fifty-five, by George W. Manypenny and  
 11250 Henry C. Gilbert, commissioners on the part of the United  
 11251 States, and the Chippewa Indians of Sault Ste. Marie, which  
 11252 treaty is in the words and figures following, to wit :

11253 Articles of agreement made and concluded at the city of De-  
 11254 troit, in the State of Michigan, the second day of August,  
 11255 1855, between George W. Manypenny and Henry C. Gil-  
 11256 bert, commissioners on the part of the United States, and  
 11257 the Chippewa Indians of Sault Ste. Marie.

11258 ARTICLE 1. The said Chippewa Indians surrender to the  
 11259 United States the right of fishing at the falls of St. Mary's, and  
 11260 of encampment, convenient to the fishing-ground, secured to  
 11261 them by the treaty of June 16, 1820.

11262 ARTICLE 2. The United States will appoint a commissioner  
 11263 who shall, within six months after the ratification of this treaty,  
 11264 personally visit and examine the said fishery and place of en-  
 11265 campment, and determine the value of the interest of the In-  
 11266 dians therein as the same originally existed. His award shall  
 11267 be reported to the President, and shall be final and conclusive,  
 11268 and the amount awarded shall be paid to said Indians, as annu-  
 11269 ities are paid, and shall be received by them in full satisfaction  
 11270 for the right hereby surrendered: *Provided*, That one-third of  
 11271 said award shall, if the Indians desire it, be paid to such of  
 11272 their half-breed relations as they may indicate.

11273 ARTICLE 3. The United States also give to the chief,  
 11274 O-shaw-waw-no, for his own use, in fee-simple, a small island in  
 11275 the river St. Mary's, adjacent to the camping-ground hereby  
 11276 surrendered, being the same island on which he is now en-  
 11277 camped, and said to contain less than half an acre: *Provided*,  
 11278 That the same has not been heretofore otherwise appropriated  
 11279 or disposed of; and in such case, this grant is to be void, and  
 11280 no compensation is to be claimed by said chief or any of the  
 11281 Indians, parties hereto, in lieu thereof.

11282 ARTICLE 4. This agreement shall be obligatory and bind-  
 11283 ing on the contracting parties as soon as the same shall be rati-  
 11284 fied by the President and Senate of the United States.

11285 Proclaimed April 24, 1856.

## 11286 CHIPPEWAS, RED LAKE, AND PEMBINA BANDS.

11287 *Treaty between the United States and the Red Lake and Pembina*  
 11288 *bands of Chippewa Indians, concluded in Minnesota October*  
 11289 *2, 1863; ratified by the Senate, with amendments, March 1,*  
 11290 *1864; amendments assented to April 12, 1864.*

11291 *By the President of the United States of America :*

## 11292 A PROCLAMATION.

11293 To all and singular to whom these presents shall come, greeting :  
 11294 Whereas a treaty was made and concluded at the Old Cross-  
 11295 ing of Red Lake River, in the State of Minnesota, on the second  
 11296 day of October, in the year of our Lord one thousand eight hun-  
 11297 dred and sixty-three, by and between Alexander Ramsey and  
 11298 Ashley C. Morrill, commissioners on the part of the United  
 11299 States, and the hereinafter-named chiefs, head-men, and warriors  
 11300 of the Red Lake and Pembina bands of Chippewa Indians, on  
 11301 the part of said bands, and duly authorized thereto by them,  
 11302 which treaty is in the words and figures following, to wit :

11303 Articles of a treaty made and concluded at the Old Crossing of  
 11304 Red Lake River, in the State of Minnesota, on the second  
 11305 day of October, in the year eighteen hundred and sixty-  
 11306 three, between the United States of America, by their com-  
 11307 missioners, Alexander Ramsey and Ashley C. Morrill, agent  
 11308 for the Chippewa Indians, and the Red Lake and Pembina  
 11309 bands of Chippewas, by their chiefs, head-men, and war-  
 11310 riors.

11311 ARTICLE 1. The peace and friendship now existing between  
 11312 the United States and the Red Lake and Pembina bands of  
 11313 Chippewa Indians shall be perpetual.

11314 ARTICLE 2. The said Red Lake and Pembina bands of  
 11315 Chippewa Indians do hereby cede, sell, and convey to the United  
 11316 States all their right, title, and interest in and to all the lands  
 11317 now owned and claimed by them in the State of Minnesota and  
 11318 in the Territory of Dakota within the following described bound-  
 11319 aries, to wit: Beginning at the point where the international  
 11320 boundary between the United States and the British possessions  
 11321 intersects the shore of the Lake of the Woods; thence in a direct  
 11322 line southwestwardly to the head of Thief River; thence down  
 11323 the main channel of said Thief River to its mouth on the Red  
 11324 Lake River; thence in a southeasterly direction, in a direct  
 11325 line toward the head of Wild Rice River, to the point where  
 11326 such line would intersect the northwestern boundary of a tract

ceded to the United States by a treaty concluded at Washington on the 22d day of February, in the year eighteen hundred and fifty-five, with the Mississippi, Pillager, and Lake Winnebigoishish bands of Chippewa Indians; thence along the said boundary-line of the said cession to the mouth of Wild Rice River; thence up the main channel of the Red River to the mouth of the Shayenne; thence up the main channel of the Shayenne River to Poplar Grove; thence in a direct line to the Place of Stumps, otherwise called Lake Chicot; thence in a direct line to the head of the main branch of Salt River; thence in a direct line due north to the point where such line would intersect the international boundary aforesaid; thence eastwardly along said boundary to the place of beginning.

ARTICLE 3. In consideration of the foregoing cession, the United States agree to pay to the said Red Lake and Pembina bands of Chippewa Indians the following sums, to wit: Twenty thousand dollars per annum for twenty years, the said sum to be distributed among the Chippewa Indians of the said bands in equal amounts per capita, and for this purpose an accurate enumeration and enrollment of the members of the respective bands and families shall be made by the officers of the United States: *Provided*, That so much of this sum as the President of the United States shall direct, not exceeding five thousand dollars per year, may be reserved from the above sum and applied to agriculture, education, the purchase of goods, powder, lead, &c., for their use, and to such other beneficial purposes calculated to promote the prosperity and happiness of the said Chippewa Indians, as he may prescribe.

ARTICLE 4. And in further consideration of the foregoing cession, and of their promise to abstain from such acts in future, the United States agree that the said Red Lake and Pembina bands of Chippewa Indians shall not be held liable to punishment for past offences. And in order to make compensation to the injured parties for the depredations committed by the said Indians on the goods of certain British and American traders at the mouth of Red Lake River, and for exactions forcibly levied by them on the proprietors of the steamboat plying on the Red River, and to enable them to pay their just debts, the United States agree to appropriate the sum of one hundred thousand dollars, it being understood and agreed that the claims of individuals for damages or debt under this article shall be ascertained and audited, in consultation with the chiefs of said bands, by a commissioner or commissioners appointed by the President of the United States; furthermore, the sum of two thousand dollars shall be expended for powder, lead, twine, or such other beneficial purposes as the chiefs may request, to be equitably

11373 distributed among the said bands at the first payment: *Provided*,  
 11374 That no part of the sum of one hundred thousand dollars shall  
 11375 be appropriated or paid to make compensation for damages or  
 11376 for the payment of any debts owing from said Indians until the  
 11377 said commissioner or commissioners shall report each case, with  
 11378 the proofs thereof, to the Secretary of the Interior, to be sub-  
 11379 mitted to Congress, with his opinion thereon, for its action; and  
 11380 that after such damages and debts shall have been paid, the res-  
 11381 idue of said sum shall be added to the annuity funds of said In-  
 11382 dians, to be divided equally upon said annuities.

11383 ARTICLE 4. To encourage and aid the chiefs of said bands  
 11384 in preserving order and inducing, by their example and advice,  
 11385 the members of their respective bands to adopt the habits and  
 11386 pursuits of civilized life, there shall be paid to each of the said  
 11387 chiefs annually, out of the annuities of the said bands, a sum  
 11388 not exceeding one hundred and fifty dollars, to be determined  
 11389 by their agents according to their respective merits. And for  
 11390 the better promotion of the above objects, a further sum of five  
 11391 hundred dollars shall be paid at the first payment to each of the  
 11392 said chiefs, to enable him to build for himself a house. Also,  
 11393 the sum of five thousand dollars shall be appropriated by the  
 11394 United States for cutting out a road from Leech Lake to Red  
 11395 Lake.

11396 ARTICLE 5. The President shall appoint a board of visitors,  
 11397 to consist of not less than two nor more than three persons, to  
 11398 be selected from such Christian denominations as he may desig-  
 11399 nate, whose duty it shall be to attend at all annuity payments  
 11400 of the said Chippewa Indians, to inspect their fields and other  
 11401 improvements, and to report annually thereon on or before the  
 11402 first day of November, and also as to the qualifications and moral  
 11403 deportment of all persons residing upon the reservation under  
 11404 the authority of law; and they shall receive for their services  
 11405 five dollars a day for the time actually employed, and ten cents  
 11406 per mile for travelling expenses: *Provided*, That no one shall be  
 11407 paid in any one year for more than twenty days' service or for  
 11408 more than three hundred miles' travel.

11409 ARTICLE 6. The laws of the United States now in force, or  
 11410 that may hereafter be enacted, prohibiting the introduction and  
 11411 sale of spirituous liquors in the Indian country, shall be in full  
 11412 force and effect throughout the country hereby ceded, until  
 11413 otherwise directed by Congress or the President of the United  
 11414 States.

11415 ARTICLE 7. In further consideration of the foregoing ces-  
 11416 sion, it is hereby agreed that the United States shall grant to  
 11417 each male, adult half-breed, or mixed-blood who is related by  
 11418 blood to the said Chippewas of the said Red Lake or Pembina

11419 bands who has adopted the habits and customs of civilized life,  
 11420 and who is a citizen of the United States, a homestead of one  
 11421 hundred and sixty acres of land, to be selected at his option,  
 11422 within the limits of the tract of country hereby ceded to the  
 11423 United States, on any land not previously occupied by actual  
 11424 settlers or covered by prior grants, the boundaries thereof to be  
 11425 adjusted in conformity with the lines of the official surveys when  
 11426 the same shall be made, and with the laws and regulations of  
 11427 the United States affecting the location and entry of the same:  
 11428 *Provided*, That no scrip shall be issued under the provisions of  
 11429 this article, and no assignments shall be made of any right, title,  
 11430 or interest at law or in equity until a patent shall issue, and no  
 11431 patent shall be issued until due proof of five years' actual resi-  
 11432 dence and cultivation, as required by the act entitled "An act  
 11433 to secure homesteads on the public domain."

11434 ARTICLE 8. Upon the urgent request of the Indians, parties  
 11435 to this treaty, there shall be set apart from the tract hereby  
 11436 ceded a reservation of (640) six hundred and forty acres near the  
 11437 mouth of Thief River for the chief "Moose Dung," and a like  
 11438 reservation of (640) six hundred and forty acres for the chief  
 11439 "Red Bear," on the north side of Pembina River.

11440 Proclaimed May 5, 1864.

11441 *Supplementary articles to the treaty between the United States and*  
 11442 *the Red Lake and Pembina bands of Chippewa Indians, con-*  
 11443 *cluded at Washington April 12, 1864; ratified by the Senate*  
 11444 *April 21, 1864.*

11445 *By the President of the United States of America.*

11446 A PROCLAMATION.

11447 *To all and singular to whom these presents shall come, greeting:*

11448 Whereas a treaty was made and concluded at the city of  
 11449 Washington, in the District of Columbia, on the 12th day of  
 11450 April, in the year of our Lord one thousand eight hundred and  
 11451 sixty-four, by and between Clark W. Thompson and Ashley C.  
 11452 Morrill, commissioners on the part of the United States, and  
 11453 the hereinafter-named chiefs, head-men, and warriors of the  
 11454 Red Lake and Pembina bands of Chippewa Indians, on behalf  
 11455 of and duly authorized thereto by said bands, which treaty is in  
 11456 the words and figures following, to wit:

11457 Articles supplementary to the treaty made and concluded at the  
 11458 Old Crossing of Red Lake River, in the State of Minnesota,  
 11459 on the second day of October, in the year eighteen hundred  
 11460 and sixty-three, between the United States of America, by

11461 their commissioners, Clark W. Thompson and Ashley C.  
 11462 Morrill, and the Red Lake and Pembina bands of Chippewa  
 11463 Indians, by their chiefs, head-men, and warriors, concluded  
 11464 at the city of Washington, District of Columbia, on the  
 11465 twelfth day of April, in the year eighteen hundred and  
 11466 sixty-four, between the United States, by the said commis-  
 11467 sioners, of the one part, and the said bands of the Chippe-  
 11468 wa Indians, by their chiefs, head-men, and warriors, of the  
 11469 other part.

11470 ARTICLE 1. The said Red Lake and Pembina bands of  
 11471 Chippewa Indians do hereby agree and assent to the provisions  
 11472 of the said treaty, concluded at the Old Crossing of Red Lake  
 11473 River, as amended by the Senate of the United States, by reso-  
 11474 lution bearing date the first day of March, in the year eighteen  
 11475 hundred and sixty-four.

11476 ARTICLE 2. In consideration of the cession made by said  
 11477 treaty, concluded at the Old Crossing of Red Lake River, and  
 11478 in lieu of the annuity payment provided for by the third article  
 11479 of said last-mentioned treaty, the United States will pay annu-  
 11480 ally, during the pleasure of the President of the United States,  
 11481 to the Red Lake band of Chippewas the sum of ten thousand  
 11482 dollars, and to the Pembina band of Chippewas the sum of five  
 11483 thousand dollars, which said sums shall be distributed to the  
 11484 members of said bands, respectively, in equal amounts per cap-  
 11485 ita, for which purpose an accurate enumeration and enrollment  
 11486 of the members of the respective bands shall be made by the  
 11487 officers of the United States.

11488 ARTICLE 3. The United States will also expend annually, for  
 11489 the period of fifteen years, for the Red Lake band of Chippewas,  
 11490 for the purpose of supplying them with gilling-twine, cotton  
 11491 mater, calico, linsey, blankets, sheeting, flannels, provisions,  
 11492 farming-tools, and for such other useful articles and for such  
 11493 other useful purposes as may be deemed for their best interests,  
 11494 the sum of eight thousand dollars; and will expend in like  
 11495 manner, and for a like period, and for like purposes, for the  
 11496 Pembina band of Chippewas, the sum of four thousand dollars.

11497 ARTICLE 4. The United States also agree to furnish said  
 11498 bands of Indians, for the period of fifteen years, one blacksmith,  
 11499 one physician, one miller, and one farmer; and will also furnish  
 11500 them annually, during the same period, with fifteen hundred  
 11501 dollars' worth of iron, steel, and other articles for blacksmithing  
 11502 purposes, and one thousand dollars for carpentering and other  
 11503 purposes.

11504 ARTICLE 5. The United States also agree to furnish for said  
 11505 Indians, at some suitable point, to be determined by the Secre-  
 11506 tary of the Interior, a saw-mill, with a run of millstones attached.

11507 ARTICLE 6. It is further agreed, by and between the par-  
 11508 ties hereto, that article four of the said treaty, concluded at the  
 11509 Old Crossing of Red Lake River, and the amendment to said  
 11510 article, shall be modified as follows: that is to say, twenty-five  
 11511 thousand dollars of the amount thereby stipulated shall be paid  
 11512 to the chiefs of said bands, through their agent, upon the ratifi-  
 11513 cation of these articles, or so soon thereafter as practicable, to  
 11514 enable them to purchase provisions and clothing, presents to be  
 11515 distributed to their people upon their return to their homes; of  
 11516 which amount five thousand dollars shall be expended for the  
 11517 benefit of their chief, May-dwa-gwa-no-nind; and that from the  
 11518 remaining seventy-five thousand dollars the claims of injured  
 11519 parties for depredations committed by said Indians on the goods  
 11520 of certain British and American traders at the mouth of Red  
 11521 Lake River, and for exactions forcibly levied by them on the  
 11522 proprietors of the steamboat plying on the Red River, shall have  
 11523 priority of payment, and be paid in full, and the remainder  
 11524 thereof shall be paid pro rata upon the debts of said tribe incur-  
 11525 red since the first day of January, in the year eighteen hundred  
 11526 and fifty-nine, to be ascertained by their agent in connection  
 11527 with the chiefs, in lieu of the commissioner or commissioners  
 11528 provided for in the fourth article of said treaty concluded at the  
 11529 Old Crossing of Red Lake River.

11530 ARTICLE 7. It is further agreed by the parties hereto, that,  
 11531 in lieu of the lands provided for the mixed-bloods by article  
 11532 eight of said treaty, concluded at the Old Crossing of Red Lake  
 11533 River, scrip shall be issued to such of said mixed-bloods as shall  
 11534 so elect, which shall entitle the holder to a like amount of land,  
 11535 and may be located upon any of the lands ceded by said treaty,  
 11536 but not elsewhere, and shall be accepted by said mixed-bloods  
 11537 in lieu of all future claims for annuities.

11538 Proclaimed April 25, 1864.

11539 CHIPPEWAS, MISSISSIPPI, AND PILLAGER AND LAKE  
 11540 WINNEBAGOSHISH BANDS.

11541 *Treaty between the United States of America and the Chippewas of*  
 11542 *the Mississippi and Pillager and Lake Winnebagoish bands*  
 11543 *of Chippewa Indians in Minnesota, concluded May 7, 1864;*  
 11544 *ratification advised, with an amendment by the Senate, Febru-*  
 11545 *ary 9, 1865; amendment assented to February 14, 1865.*

11546 ABRAHAM LINCOLN, President of the United States of America,  
 11547 to all and singular to whom these presents shall come,  
 11548 greeting:

11549 Whereas a treaty was made and concluded at the city of

11550 Washington, in the District of Columbia, on the seventh day of  
 11551 May, in the year of our Lord one thousand eight hundred and  
 11552 sixty-four, by and between William P. Dole, Commissioner of  
 11553 Indian Affairs, and Clark W. Thompson, superintendent of Indian  
 11554 affairs for the northern superintendency, on the part of the  
 11555 United States, and the Chippewa chief Que-we-zance, or Hole-  
 11556 in-the-day, and Mis-qua-dace, or Turtle, on the part of the Chip-  
 11557 pewas of the Mississippi, and Pillager and Lake Winnebago-sh-  
 11558 ish bands of Chippewa Indians in Minnesota, and duly author-  
 11559 ized thereto by them, which treaty is in the words and figures  
 11560 following, to wit :

11561 Articles of agreement and convention made and concluded at  
 11562 the city of Washington this seventh day of May, A. D. 1864,  
 11563 between William P. Dole, Commissioner of Indian Affairs,  
 11564 and Clark W. Thompson, superintendent of Indian affairs  
 11565 for the northern superintendency, on the part of the United  
 11566 States, and the Chippewa chief Hole-in-the-day, and Mis-  
 11567 qua-dace, for and on behalf of the Chippewas of the Mis-  
 11568 sissippi, and Pillager and Lake Winnebago-shish bands of  
 11569 Chippewa Indians in Minnesota.

11570 ARTICLE 1. The reservations known as Gull Lake, Mille  
 11571 Lac, Sandy Lake, Rabbit Lake, Pokagomin Lake, and Rice Lake,  
 11572 as described in the second clause of the second article of the  
 11573 treaty with the Chippewas of the twenty-second of February,  
 11574 1855, are hereby ceded to the United States, excepting one half  
 11575 section of land, including the mission buildings at Gull Lake,  
 11576 which is hereby granted in fee simple to the Reverend John  
 11577 Johnson, missionary, and one section of land, to be located by  
 11578 the Secretary of the Interior on the southeast side of Gull Lake,  
 11579 and which is hereby granted in fee simple to the chief Hole-  
 11580 in-the-day, and a section to chief Mis-qua-dace, at Sandy Lake,  
 11581 in like manner, and one section to chief Shaw-vosh-kung, at  
 11582 Mille Lac, in like manner.

11583 ARTICLE 2. In consideration of the foregoing cession, the  
 11584 United States agree to set apart, for the future home of the  
 11585 Chippewas of the Mississippi, all the lands embraced within the  
 11586 following-described boundaries, excepting the reservations made  
 11587 and described in the third clause of the second article of the  
 11588 said treaty of February 22d, 1855, for the Pillager and Lake  
 11589 Winnebago-shish bands ; that is to say, beginning at a point one  
 11590 mile south of the most southerly point of Leach Lake, and run-  
 11591 ning thence in an easterly course to a point one mile south of  
 11592 the most southerly point of Goose Lake ; thence due east to a  
 11593 point due south from the intersection of the Pokagomin reser-  
 11594 vation and the Mississippi River ; thence on the dividing-line  
 11595 between Deer River and lakes and Mashkordens River and lakes,

11596 until a point is reached north of the first-named river and lakes;  
 11597 thence in a direct line northwesterly to the outlet of Two Routs  
 11598 Lake; then in a southwesterly direction to Turtle Lake; thence  
 11599 southwesterly to the head-water of Rice River; thence north-  
 11600 westerly along the line of the Red Lake reservation to the mouth  
 11601 of Thief River; thence down the centre of the main channel of  
 11602 Red Lake River to a point opposite the mouth of Black River;  
 11603 thence southeasterly in a direct line with the outlet of Rice Lake  
 11604 to a point due west from the place of beginning; thence to the  
 11605 place of beginning.

11606 ARTICLE 3. In consideration of the foregoing cession to the  
 11607 United States, and the valuable improvements thereon, the  
 11608 United States further agree, first, to extend the present annu-  
 11609 ities of the Indians, parties to this treaty, for ten years beyond the  
 11610 periods respectively named in existing treaties; second, and to  
 11611 pay towards the settlement of the claims for depredations com-  
 11612 mitted by said Indians in 1862, the sum of twenty thousand  
 11613 dollars; third, to the chiefs of the Chippewas of the Mississippi,  
 11614 ten thousand dollars, to be paid upon the ratification of this  
 11615 treaty; and five thousand dollars to the chief Hole-in-the-day  
 11616 for depredations committed in burning his house and furniture  
 11617 in 1862.

11618 ARTICLE 4. The United States further agree to pay seven  
 11619 thousand five hundred (\$7,500) dollars for clearing, stumping,  
 11620 grubbing, breaking, and planting on the reservation hereby set  
 11621 apart for the Chippewas of the Mississippi, in lots of not less  
 11622 than ten acres each, at such point or points as the Secretary of  
 11623 the Interior may select, as follows, viz: For the Gull Lake band,  
 11624 seventy (70) acres; for the Mille Lac band, seventy (70) acres;  
 11625 for the Sandy Lake band, fifty (50) acres; for the Pokagomin  
 11626 band, fifty (50) acres; for the Rabbit Lake band, forty (40)  
 11627 acres; for the Rice Lake band, twenty (20) acres; and to expend  
 11628 five thousand dollars (\$5,000) in building for the chiefs of said  
 11629 bands one house each, under the direction of the Secretary of  
 11630 the Interior.

11631 ARTICLE 5. The United States agree to furnish to said In-  
 11632 dians, parties to this treaty, ten (10) yoke of good steady work  
 11633 oxen, and twenty log-chains annually for ten years, provided the  
 11634 Indians shall take proper care of and make proper use of the  
 11635 same; also for the same period, annually, two hundred (200)  
 11636 grubbing-hoes, ten (10) ploughs, ten (10) grindstones, one hun-  
 11637 dred (100) axes, handled, not to exceed in weight three and one-  
 11638 half pounds each, twenty (20) spades, and other farming imple-  
 11639 ments, provided it shall not amount to more than fifteen hundred  
 11640 dollars in one year; also two carpenters, and two blacksmiths,  
 11641 and four farm-laborers, and one physician.

11642       ARTICLE 6. The United States further agree to pay annu-  
 11643 ally one thousand dollars (\$1,000) towards the support of a saw-  
 11644 mill, to be built for the common use of the Chippewas of the  
 11645 Mississippi and the Red Lake and Pembina bands of Chippewa  
 11646 Indians, so long as the President of the United States may  
 11647 deem it necessary; and to expend in building a road, bridges,  
 11648 &c., to their new agency, seven thousand five hundred dollars  
 11649 (\$7,500;) and to expend for new agency buildings, to be located  
 11650 by the Secretary of the Interior, for the common use of the Chip-  
 11651 pewas of the Mississippi, Red Lake, and Pembina, and Pillager  
 11652 and Lake Winnebagoish bands of Chippewa Indians, twenty-  
 11653 five thousand dollars (\$25,000.)

11654       ARTICLE 7. There shall be a board of visitors, to consist of  
 11655 not less than two nor more than five persons, to be selected from  
 11656 such Christian denomination or denominations as the chiefs in  
 11657 council may designate, whose duty it shall be to be present at all  
 11658 annuity payments to the Indians, whether of goods, moneys,  
 11659 provisions, or other articles, and to inspect the fields, buildings,  
 11660 mills, and other improvements made or to be made, and to report  
 11661 annually thereon, on or before the first day of November; and  
 11662 also as to the qualifications and moral deportment of all persons  
 11663 residing upon the reservation under the sanction of law or reg-  
 11664 ulation, and they shall receive for their services five dollars per  
 11665 day for the time actually employed, and ten cents per mile for  
 11666 travelling expenses: *Provided*, That no one shall be paid in any  
 11667 one year for more than twenty days' service, or for more than  
 11668 three hundred miles' travel.

11669       ARTICLE 8. No person shall be recognized as a chief whose  
 11670 band numbers less than fifty persons; and to encourage and aid  
 11671 the said chiefs in preserving order, and inducing, by their ex-  
 11672 ample and advice, the members of their respective bands to  
 11673 adopt the pursuits of civilized life, there shall be paid to each  
 11674 of said chiefs annually, out of the annuities of said bands, a sum  
 11675 not exceeding one hundred and fifty dollars, (\$150,) to be deter-  
 11676 mined by their agent according to their respective merits.

11677       ARTICLE 9. To improve the morals and industrial habits of  
 11678 said Indians, it is agreed that no agent, teacher, interpreter,  
 11679 trader, or other employees shall be employed, appointed, licensed,  
 11680 or permitted to reside within the reservations belonging to the  
 11681 Indians, parties to this treaty, missionaries excepted, who shall  
 11682 not have a family residing with them at their respective places  
 11683 of employment or trade within the agency, whose moral habits  
 11684 and fitness shall be reported upon annually by the board of  
 11685 visitors; and no person of full or mixed blood, educated or par-  
 11686 tially educated, whose fitness, morally or otherwise, is not con-  
 11687 ductive to the welfare of said Indians, shall receive any benefit

11688 from this or any former treaties, and may be expelled from the  
11689 reservation.

11690 ARTICLE 10. All annuities under this or former treaties shall  
11691 be paid as the chiefs in council may request, with the approval  
11692 of the Secretary of the Interior, until otherwise altered or  
11693 amended, which shall be done whenever the board of visitors,  
11694 by therequests of the chiefs, may recommend it: *Provided*, That  
11695 no change shall take place oftener than once in two years.

11696 ARTICLE 11. Whenever the services of laborers are required  
11697 upon the reservation, preference shall be given to full or mixed  
11698 bloods, if they shall be found competent to perform them.

11699 ARTICLE 12. It shall not be obligatory upon the Indians,  
11700 parties to this treaty, to remove from their present reservations  
11701 until the United States shall have first complied with the stipu-  
11702 lations of Articles IV and VI of this treaty, when the United  
11703 States shall furnish them with all necessary transportation and  
11704 subsistence to their new homes and subsistence for six months  
11705 thereafter: *Provided*, That, owing to the heretofore good con-  
11706 duct of the Mille Lac Indians, they shall not be compelled to  
11707 remove so long as they shall not in any way interfere with or in  
11708 any manner molest the persons or property of the whites: *Pro-*  
11709 *vided*, That those of the tribe residing on the Sandy Lake re-  
11710 servation shall not be removed until the President shall so  
11711 direct.

11712 ARTICLE 13. Female members of the family of any govern-  
11713 ment employe[e] residing on the reservation, who shall teach  
11714 Indian girls domestic economy, shall be allowed and paid a sum  
11715 not exceeding ten dollars per month while so engaged: *Provided*,  
11716 That not more than one thousand dollars shall be so expended  
11717 during any one year, and that the President of the United  
11718 States may suspend or annul this article whenever he may deem  
11719 it expedient to do so.

11720 ARTICLE 14. It is distinctly understood and agreed that the  
11721 clearing and breaking of land for the Chippewas of the Missis-  
11722 sippi, as provided for in the fourth article of this treaty, shall  
11723 be in lieu of all former engagements of the United States as to  
11724 the breaking of lands for those bands, and that this treaty is in  
11725 lieu of the treaty made by the same tribes, approved March 11th,  
11726 1863.

11727 Proclaimed March 20, 1865.

11728 FRANKLIN PIERCE, President of the United States of America,  
11729 to all and singular to whom these presents shall come,  
11730 greeting:

11731 Whereas a treaty was made and concluded at the city of  
11732 Washington, on the twenty-second day of February, one thou-

11733 sand eight hundred and fifty-five, between the United States  
 11734 and the Mississippi bands of Chippewa Indians, which treaty is  
 11735 in the words following, to wit:

11736 Articles of agreement and convention made and concluded at  
 11737 the city of Washington, this twenty-second day of February,  
 11738 one thousand eight hundred and fifty-five, by George W.  
 11739 Manypenny, commissioner, on the part of the United States,  
 11740 and the following-named chiefs and delegates, representing  
 11741 the Mississippi bands of Chippewa Indians, viz: Pug-o-na  
 11742 ke-shick, or Hole-in-the-day; Que-we-sans-ish, or Bad Boy;  
 11743 Wand-e-kaw, or Little Hill; I-awe-showe-we-ke-shig, or  
 11744 Crossing Sky; Petud-dunce, or Rat's Liver; Mun-o-min-e-  
 11745 kay-shein, or Rice-Maker; Mah-yah-ge-way-we-durg, or the  
 11746 Chorister; Kay-gwa-daush, or the Attempter; Caw-caug-e-  
 11747 we-goön, or Crow Feather; and Show-baush-king, or He  
 11748 that passes under Everything, and the following-named  
 11749 chiefs and delegates representing the Pillager and Lake  
 11750 Winnibigoshish bands of Chippewa Indians, viz: Aish-ke-  
 11751 bug-e-koshe, or Flat Mouth; Be-sheek-kee, or Buffalo; Nay-  
 11752 bun-a-caush, or Young Man's Son; Maug-e-gaw-bow, or Step-  
 11753 ping Ahead; Mi-gi-si, or Eagle, and Kaw-be-mub-bee, or  
 11754 North Star, they being thereto duly authorized by the said  
 11755 bands of Indians respectively.

11756 ARTICLE 1. The Mississippi, Pillager, and Lake Winnibi-  
 11757 goshish bands of Chippewa Indians hereby cede, sell, and con-  
 11758 vey to the United States all their right, title, and interest in  
 11759 and to the lands now owned and claimed by them, in the Terri-  
 11760 tory of Minnesota, and included within the following bounda-  
 11761 ries, viz: Beginning at a point where the east branch of Snake  
 11762 River crosses the southern boundary-line of the Chippewa  
 11763 country, east of the Mississippi River, as established by the  
 11764 treaty of July twenty-ninth, one thousand eight hundred and  
 11765 thirty-seven; running thence, up the said branch, to its source;  
 11766 thence, nearly north in a straight line, to the mouth of East  
 11767 Savannah River; thence, up the St. Louis River, to the mouth  
 11768 of East Swan River; thence, up said river, to its source; thence,  
 11769 in a straight line, to the most westwardly bend of Vermillion  
 11770 River; thence, northwestwardly, in a straight line, to the first  
 11771 and most considerable bend in the Big Fork River; thence, down  
 11772 said river, to its mouth; thence, down Rainy Lake River, to the  
 11773 mouth of Black River; thence, up that river to its source;  
 11774 thence, in a straight line, to the northern extremity of Turtle  
 11775 Lake; thence, in a straight line, to the mouth of Wild Rice  
 11776 River; thence, up Red River of the North, to the mouth of  
 11777 Buffalo River; thence, in a straight line, to the southwestern  
 11778 extremity of Otter-Tail Lake; thence, through said lake, to the

11779 source of Leaf River; thence, down said river, to its junction  
 11780 with Crow Wing River; thence, down Crow Wing River, to its  
 11781 junction with the Mississippi River; thence to the commence-  
 11782 ment on said river of the southern boundary-line of the Chip-  
 11783 pewa country, as established by the treaty of July twenty-ninth,  
 11784 one thousand eight hundred and thirty-seven; and thence, along  
 11785 said line, to the place of beginning. And the said Indians do  
 11786 further fully and entirely relinquish and convey to the United  
 11787 States any and all right, title, and interest, of whatsoever nature  
 11788 the same may be, which they may now have in and to any other  
 11789 lands in the Territory of Minnesota or elsewhere.

11790 ARTICLE 2. There shall be, and hereby is, reserved and set  
 11791 apart, a sufficient quantity of land for the permanent homes of  
 11792 the said Indians; the lands so reserved and set apart to be in  
 11793 separate tracts, as follows, viz:

11794 For the Mississippi bands of Chippewa Indians: The first  
 11795 to embrace the following fractional townships, viz: forty-two  
 11796 north, of range twenty-five west; forty-two north, of range twen-  
 11797 ty-six west; and forty-two and forty-three north, of range twen-  
 11798 ty-seven west; and, also, the three islands in the southern part  
 11799 of Mille Lac. Second, beginning at a point half a mile east of  
 11800 Rabbit Lake; thence south three miles; thence westwardly, in  
 11801 a straight line, to a point three miles south of the mouth of Rab-  
 11802 bit River; thence north to the mouth of said river; thence up  
 11803 the Mississippi River to a point directly north of the place of  
 11804 beginning; thence south to the place of beginning. Third, be-  
 11805 ginning at a point half a mile southwest from the most south-  
 11806 westwardly point of Gull Lake; thence due south to Crow Wing  
 11807 River; thence down said river, to the Mississippi River; thence  
 11808 up said river to Long Lake Portage; thence, in a straight line,  
 11809 to the head of Gull Lake; thence in a southwestwardly direc-  
 11810 tion, as nearly in a direct line as practicable, but at no point  
 11811 thereof at a less distance than half a mile from said lake, to the  
 11812 place of beginning. Fourth, the boundaries to be, as nearly as  
 11813 practicable, at right angles, and so as to embrace within them  
 11814 Pokagomon Lake; but nowhere to approach nearer said lake  
 11815 than half a mile therefrom. Fifth, beginning at the mouth of  
 11816 Sandy Lake River; thence south, to a point on an east and  
 11817 west line, two miles south of the most southern point of Sandy  
 11818 Lake; thence east, to a point due south from the mouth of West  
 11819 Savannah River; thence north, to the mouth of said river;  
 11820 thence north to a point on an east and west line, one mile north  
 11821 of the most northern point of Sandy Lake; thence west, to Lit-  
 11822 tle Rice River; thence down said river to Sandy Lake River;  
 11823 and thence down said river to the place of beginning. Sixth,  
 11824 to include all the islands in Rice Lake, and also half a section

11825 of land on said lake, to include the present gardens of the In-  
 11826 dians. Seventh, one section of land for Pug-o-na-ke-shick, or  
 11827 Hole-in-the-day, to include his house and farm ; and for which  
 11828 he shall receive a patent in fee-simple.

11829 For the Pillager and Lake Winnibigoshish bands, to be in  
 11830 three tracts, to be located and bounded as follows, viz : First,  
 11831 beginning at the mouth of Little Boy River ; thence up said  
 11832 river to Lake Hassler ; thence through the center of said lake  
 11833 to its western extremity ; thence in a direct line to the most  
 11834 southern point of Leech Lake ; and thence through said lake, so  
 11835 as to include all the islands therein, to the place of beginning.  
 11836 Second, beginning at the point where the Mississippi River  
 11837 leaves Lake Winnibigoshish ; thence north, to the head of the  
 11838 first river ; thence west, by the head of the next river, to the  
 11839 head of the third river, emptying into said lake ; thence down  
 11840 the latter to said lake ; and thence in a direct line to the place of  
 11841 beginning. Third, beginning at the mouth of Turtle River ;  
 11842 thence up said river to the first lake ; thence east, four miles ;  
 11843 thence southwardly, in a line parallel with Turtle River, to  
 11844 Cass Lake ; and thence, so as to include all the islands in said  
 11845 lake, to the place of beginning ; all of which said tracts shall  
 11846 be distinctly designated on the plats of the public surveys.

11847 And at such time or times as the President may deem it  
 11848 advisable for the interests and welfare of said Indians, or  
 11849 any of them, he shall cause the said reservation, or such por-  
 11850 tion or portions thereof as may be necessary, to be surveyed ;  
 11851 and assign to each head of a family, or single person over  
 11852 twenty-one years of age, a reasonable quantity of land, in one  
 11853 body, not to exceed eighty acres, in any case, for his or their  
 11854 separate use ; and he may, at his discretion, as the occupants  
 11855 thereof become capable of managing their business and affairs,  
 11856 issue patents to them for the tracts so assigned to them, respect-  
 11857 ively ; said tracts to be exempt from taxation, levy, sale, or for-  
 11858 feiture ; and not to be aliened or leased for a longer period than  
 11859 two years, at one time, until otherwise provided by the legisla-  
 11860 ture of the State in which they may be situate, with the assent  
 11861 of Congress. They shall not be sold, or alienated, in fee,  
 11862 for a period of five years after the date of the patents ; and not  
 11863 then without the assent of the President of the United States  
 11864 being first obtained. Prior to the issue of the patents, the  
 11865 President shall make such rules and regulations as he may  
 11866 deem necessary and expedient respecting the disposition of any  
 11867 of said tracts in case of the death of the person or persons to  
 11868 whom they may be assigned, so that the same shall be secured  
 11869 to the families of such deceased persons ; and should any of  
 11870 the Indians to whom tracts may be assigned thereafter abandon

11871 them, the President may make such rules and regulations, in  
 11872 relation to such abandoned tracts, as in his judgment may be  
 11873 necessary and proper.

11874 ARTICLE 3. In consideration of, and in full compensation  
 11875 for, the cessions made by the said Mississippi, Pillager, and Lake  
 11876 Winnibigoshish bands of Chippewa Indians, in the first article  
 11877 of this agreement, the United States hereby agree and stipulate  
 11878 to pay, expend, and make provision for, the said bands of Indi-  
 11879 ans, as follows, viz : For the Mississippi bands :

11880 Ten thousand dollars (\$10,000) in goods, and other useful  
 11881 articles, as soon as practicable after the ratification of this in-  
 11882 strument, and after an appropriation shall be made by Congress  
 11883 therefor, to be turned over to the delegates and chiefs for dis-  
 11884 tribution among their people.

11885 Fifty thousand dollars (\$50,000) to enable them to adjust  
 11886 and settle their present engagements, so far as the same, on an  
 11887 examination thereof, may be found and decided to be valid and  
 11888 just by the chiefs, subject to the approval of the Secretary  
 11889 of the Interior ; and any balance remaining of said sum not re-  
 11890 quired for the above-mentioned purpose shall be paid over to  
 11891 said Indians in the same manner as their annuity money, and in  
 11892 such instalments as the said Secretary may determine : *Provided*,  
 11893 That an amount not exceeding ten thousand dollars (\$10,000) of  
 11894 the above sum shall be paid to such full and mixed bloods as  
 11895 the chiefs may direct, for services rendered heretofore to their  
 11896 bands.

11897 Twenty thousand dollars (\$20,000) per annum, in money, for  
 11898 twenty years, provided that two thousand dollars (\$2,000) per  
 11899 annum of that sum shall be paid or expended, as the chiefs  
 11900 may request, for purposes of utility connected with the improve-  
 11901 ment and welfare of said Indians, subject to the approval of the  
 11902 Secretary of the Interior.

11903 Five thousand dollars (\$5,000) for the construction of a  
 11904 road from the mouth of Rum River to Mille Lac, to be expended  
 11905 under the direction of the Commissioner of Indian Affairs.

11906 A reasonable quantity of land, to be determined by the  
 11907 Commissioner of Indian Affairs, to be ploughed and prepared for  
 11908 cultivation in suitable fields, at each of the reservations of the  
 11909 said bands, not exceeding in the aggregate three hundred acres  
 11910 for all the reservations, the Indians to make the rails and inclose  
 11911 the fields themselves.

11912 For the Pillager and Lake Winnibigoshish bands :

11913 Ten thousand dollars (\$10,000) in goods, and other useful  
 11914 articles, as soon as practicable, after the ratification of this  
 11915 agreement, and an appropriation shall be made by Congress

11916 therefor; to be turned over to the chiefs and delegates for distri-  
11917 bution among their people.

11918 Forty thousand dollars (\$40,000) to enable them to adjust and  
11919 settle their present engagements, so far as the same, on an ex-  
11920 amination thereof, may be found and decided to be valid and  
11921 just by the chiefs, subject to the approval of the Secretary of  
11922 the Interior; and any balance remaining of said sum, not re-  
11923 quired for that purpose, shall be paid over to said Indians, in  
11924 the same manner as their annuity money, and in such instal-  
11925 ments as the said Secretary may determine; provided that an  
11926 amount, not exceeding ten thousand dollars (\$10,000) of the  
11927 above sum, shall be paid to such mixed-bloods as the chiefs may  
11928 direct, for services heretofore rendered to their bands.

11929 Ten thousand six hundred and sixty-six dollars and sixty-  
11930 six cents (\$10,666.66) per annum, in money, for thirty years.

11931 Eight thousand dollars (\$8,000) per annum, for thirty years,  
11932 in such goods as may be requested by the chiefs, and as may be  
11933 suitable for the Indians, according to their condition and cir-  
11934 cumstances.

11935 Four thousand dollars (\$4,000) per annum, for thirty years,  
11936 to be paid or expended, as the chiefs may request, for purposes  
11937 of utility connected with the improvement and welfare of said  
11938 Indians; subject to the approval of the Secretary of the In-  
11939 terior: *Provided*, That an amount not exceeding two thousand  
11940 dollars thereof shall, for a limited number of years, be expended  
11941 under the direction of the Commissioner of Indian Affairs, for  
11942 provisions, seeds, and such other articles or things as may be  
11943 useful in agricultural pursuits.

11944 Such sum as can be usefully and beneficially applied by the  
11945 United States, annually, for twenty years, and not to exceed  
11946 three thousand dollars in any one year, for purposes of educa-  
11947 tion; to be expended under the direction of the Secretary of the  
11948 Interior.

11949 Three hundred dollars' (\$300) worth of powder, per annum,  
11950 for five years.

11951 One hundred dollars' (\$100) worth shot and lead, per an-  
11952 num, for five years.

11953 One hundred dollars' (\$100) worth of gilling twine, per an-  
11954 num, for five years.

11955 One hundred dollars' (\$100) worth of tobacco, per annum,  
11956 for five years.

11957 Hire of three laborers at Leech Lake, of two at Lake Win-  
11958 nibigoshish, and of one at Cass Lake, for five years.

11959 Expense of two blacksmiths, with the necessary shop, iron,  
11960 steel, and tools, for fifteen years.

11961 Two hundred dollars (\$200) in grubbing-hoes and tools, the  
11962 present year.

11963 Fifteen thousand dollars (\$15,000) for opening a road from  
11964 Crow Wing to Leech Lake; to be expended under the direction  
11965 of the Commissioner of Indian Affairs.

11966 To have ploughed and prepared for cultivation two hun-  
11967 dred acres of land, in ten or more lots, within the reservation at  
11968 Leech Lake; fifty acres, in four or more lots, within the reserva-  
11969 tion at Lake Winnibigoshish; and twenty-five acres, in two or  
11970 more lots, within the reservation at Cass Lake: *Provided*, That  
11971 the Indians shall make the rails and inclose the lots them-  
11972 selves.

11973 A saw-mill, with a portable grist-mill attached thereto, to  
11974 be established whenever the same shall be deemed necessary and  
11975 advisable by the Commissioner of Indian Affairs, at such point  
11976 as he shall think best; and which, together with the expense of  
11977 a proper person to take charge of and operate them, shall be  
11978 continued during ten years: *Provided*, That the cost of all the  
11979 requisite repairs of the said mills shall be paid by the Indians,  
11980 out of their own funds.

11981 ARTICLE 4. The Mississippi bands have expressed a desire  
11982 to be permitted to employ their own farmers, mechanics, and  
11983 teachers; and it is therefore agreed that the amounts to which  
11984 they are now entitled, under former treaties, for purposes of  
11985 education, for blacksmiths and assistants, shops, tools, iron, and  
11986 steel, and for the employment of farmers and carpenters, shall  
11987 be paid over to them as their annuities are paid: *Provided*,  
11988 *however*, That whenever, in the opinion of the Commissioner  
11989 of Indian Affairs, they fail to make proper provision for the  
11990 above-named purposes, he may retain said amounts, and appro-  
11991 priate them according to his discretion, for their education and  
11992 improvement.

11993 ARTICLE 5. The foregoing annuities, in money and goods,  
11994 shall be paid and distributed as follows: Those due the Missis-  
11995 sippi bands, at one of their reservations; and those due the Pilla-  
11996 ger and Lake Winnibigoshish bands, at Leech Lake; and no  
11997 part of the said annuities shall ever be taken or applied in any  
11998 manner to or for the payment of the debts or obligations of In-  
11999 dians contracted in their private dealings, as individuals, whether  
12000 to traders or other persons. And should any of said Indians  
12001 become intemperate or abandoned and waste their property, the  
12002 President may withhold any moneys or goods, due and payable  
12003 to such, and cause the same to be expended, applied, or distri-  
12004 buted, so as to insure the benefit thereof to their families. If  
12005 at any time, before the said annuities in money and goods of  
12006 either of the Indian parties to this convention shall expire, the

12007 interests and welfare of said Indians shall, in the opinion of the  
 12008 President, require a different arrangement, he shall have the  
 12009 power to cause the said annuities, instead of being paid over and  
 12010 distributed to the Indians, to be expended or applied to such  
 12011 purposes or object as may be best calculated to promote their  
 12012 improvement and civilization.

12013 ARTICLE 6. The missionaries and such other persons as are  
 12014 now, by authority of law, residing in the country ceded by the  
 12015 first article of this agreement, shall each have the privilege of  
 12016 entering one hundred and sixty acres of the said ceded lands,  
 12017 at one dollar and twenty-five cents per acre ; said entries not to  
 12018 be made so as to interfere, in any manner, with the laying off  
 12019 of the several reservations herein provided for.

12020 And such of the mixed bloods as are heads of families, and  
 12021 now have actual residences and improvements in the ceded coun-  
 12022 try, shall have granted to them, in fee, eighty acres of land, to  
 12023 include their respective improvements.

12024 ARTICLE 7. The laws which have been or may be enacted  
 12025 by Congress, regulating trade and intercourse with the Indian  
 12026 tribes, to continue and be in force within the several reserva-  
 12027 tions provided for herein ; and those portions of said laws which  
 12028 prohibit the introduction, manufacture, use of, and traffic in,  
 12029 ardent spirits, wines, or other liquors, in the Indian country,  
 12030 shall continue and be in force, within the entire boundaries of  
 12031 the country herein ceded to the United States, until otherwise  
 12032 provided by Congress.

12033 ARTICLE 8. All roads and highways, authorized by law,  
 12034 the lines of which shall be laid through any of the reservations  
 12035 provided for in this convention, shall have the right of way  
 12036 through the same ; the fair and just value of such right being  
 12037 paid to the Indians therefor, to be assessed and determined ac-  
 12038 cording to the laws in force for the appropriation of lands for  
 12039 such purposes.

12040 ARTICLE 9. The said bands of Indians, jointly and sever-  
 12041 ally, obligate and bind themselves not to commit any depreda-  
 12042 tions or wrong upon other Indians, or upon citizens of the United  
 12043 States ; to conduct themselves at all times in a peaceable and  
 12044 orderly manner ; to submit all difficulties between them and  
 12045 other Indians to the President, and to abide by his decision in  
 12046 regard to the same, and to respect and observe the laws of the  
 12047 United States, so far as the same are to them applicable. And  
 12048 they also stipulate that they will settle down in the peaceful  
 12049 pursuits of life, commence the cultivation of the soil, and appro-  
 12050 priate their means to the erection of houses, opening farms, the  
 12051 education of their children, and such other objects of improve-  
 12052 ment and convenience as are incident to well-regulated society ;

12053 and that they will abstain from the use of intoxicating drinks  
12054 and other vices to which they have been addicted.

12055 ARTICLE 10. This instrument shall be obligatory on the  
12056 contracting parties as soon as the same shall be ratified by the  
12057 President and the Senate of the United States.

12058 Proclaimed 7th April, 1855.

12059 CHIPPEWAS OF THE MISSISSIPPI.

12060 *Treaty between the United States of America and the Chippewa*  
12061 *Indians of the Mississippi, concluded March 19, 1867; ratifi-*  
12062 *cation advised, with amendment, April 8, 1867; amendment*  
12063 *accepted April 8, 1867.*

12064 ANDREW JOHNSON, President of the United States of America,  
12065 to all and singular to whom these presents shall come,  
12066 greeting :

12067 Whereas a treaty was made and concluded at the city of  
12068 Washington, in the District of Columbia, on the nineteenth day  
12069 of March, in the year of our Lord one thousand eight hundred  
12070 and sixty-seven, by and between Lewis V. Bogy, William H.  
12071 Watson, and Joel B. Bassett, commissioners on the part of the  
12072 United States, and Que-we-zance, or Hole-in-the-Day, Qui-we-  
12073 shen-shish, and other chiefs and head-men of the Chippewa In-  
12074 dians of the Mississippi, on the part of said Indians, and duly  
12075 authorized thereto by them, which treaty is in the words and  
12076 figures following, to wit :

12077 Articles of agreement made and concluded at Washington, D.  
12078 C., this 19th day of March, A. D. 1867, between the United  
12079 States, represented by Lewis V. Bogy, special commissioner  
12080 thereto appointed, William H. Watson, and Joel B. Bassett,  
12081 United States agent, and the Chippewas of the Mississippi,  
12082 represented by Que-we-zance, or Hole-in-the-Day, Qui-we-  
12083 shen-shish, Wau-bon-a-quot, Min-e-do-wob, Mijaw-ke-ke-  
12084 shik, Shob-osk-kunk, Ka-gway-dosh, Me-no-ke-shick, Way-  
12085 namee, and O-gub-ay-gwan-ay-aush.

12086 Whereas by a certain treaty ratified March 20, 1865, between  
12087 the parties aforesaid, a certain tract of land was, by the second  
12088 article thereof, reserved and set apart for a home for the said  
12089 bands of Indians, and by other articles thereof provisions were  
12090 made for certain moneys to be expended for agricultural im-  
12091 provements for the benefit of said bands ; and whereas it has  
12092 been found that the said reservation is not adapted for agricul-  
12093 tural purposes for the use of such of the Indians as desire to devote

12094 themselves to such pursuits, while a portion of the bands de-  
 12095 sire to remain and occupy a part of the aforementioned reserva-  
 12096 tion, and to sell the remainder thereof to the United States :  
 12097 Now, therefore, it is agreed—

12098       ARTICLE 1. The Chippewas of the Mississippi hereby cede  
 12099 to the United States all their lands in the State of Minnesota, se-  
 12100 cured to them by the second article of their treaty of March 20,  
 12101 1865, excepting and reserving therefrom the tract bounded and  
 12102 described as follows, to wit : Commencing at a point on the Mis-  
 12103 sissippi River, opposite the mouth of Wanoman River, as laid  
 12104 down on Sewall's map of Minnesota ; thence due north to a point  
 12105 two miles further north than the most northerly point of Lake  
 12106 Winnebagoishish ; thence due west to a point two miles west of  
 12107 the most westerly point of Cass Lake ; thence south to Kabekona  
 12108 River ; thence down said river to Leech Lake ; thence along the  
 12109 north shore of Leech Lake to its outlet in Leech Lake River ;  
 12110 thence down the main channel of said river to its junction with the  
 12111 Mississippi River, and thence down the Mississippi to the place  
 12112 of beginning.

12113       And there is further reserved for the said Chippewas out of  
 12114 the land now owned by them such portion of their western outlet  
 12115 as may upon location and survey be found within the reservation  
 12116 provided for in the next succeeding section.

12117       ARTICLE 2. In order to provide a suitable farming region  
 12118 for the said bands, there is hereby set apart for their use a tract  
 12119 of land, to be located in a square form as nearly as possible, with  
 12120 lines corresponding to the Government surveys ; which reserva-  
 12121 tion shall include White Earth Lake and Rice Lake, and contain  
 12122 thirty-six townships of land ; and such portions of the tract  
 12123 herein provided for as shall be found upon actual survey to lie  
 12124 outside of the reservation set apart for the Chippewas of the  
 12125 Mississippi by the second article of the treaty of March 20, 1865,  
 12126 shall be received by them in part consideration for the cession  
 12127 of lands made by this agreement.

12128       ARTICLE 3. In further consideration for the lands herein  
 12129 ceded, estimated to contain about two million of acres, the  
 12130 United States agree to pay the following sums, to wit : Five  
 12131 thousand dollars for the erection of school buildings upon the  
 12132 reservation provided for in the second article ; four thousand  
 12133 dollars each year for ten years, and as long as the President  
 12134 may deem necessary after the ratification of this treaty, for the  
 12135 support of a school or schools upon said reservation ; ten thou-  
 12136 sand dollars for the erection of a saw-mill, with grist-mill at-  
 12137 tached, on said reservation ; five thousand dollars to be expended  
 12138 in assisting in the erection of houses for such of the Indians as  
 12139 shall remove to said reservation.

12140 Five thousand dollars to be expended, with the advice of  
 12141 the chiefs, in the purchase of cattle, horses, and farming uten-  
 12142 sils, and in making such improvements as are necessary for open-  
 12143 ing farms upon said reservation.

12144 Six thousand dollars each year for ten years, and as long  
 12145 thereafter as the President may deem proper, to be expended in  
 12146 promoting the progress of the people in agriculture, and assist-  
 12147 ing them to become self-sustaining by giving aid to those who  
 12148 will labor.

12149 Twelve hundred dollars each year for ten years for the sup-  
 12150 port of a physician, and three hundred each year for ten years  
 12151 for necessary medicines.

12152 Ten thousand dollars to pay for provisions, clothing, or such  
 12153 other articles as the President may determine, to be paid to  
 12154 them immediately on their removal to their new reservation.

12155 ARTICLE 4. No part of the annuities provided for in this or  
 12156 any former treaty with the Chippewas of the Mississippi bands  
 12157 shall be paid to any half-breed, or mixed-blood, except those  
 12158 who actually live with their people, upon one of the reserva-  
 12159 tions belonging to the Chippewa Indians.

12160 ARTICLE 5. It is further agreed that the annuity of \$1,000  
 12161 a year which shall hereafter become due under the provisions of  
 12162 the third article of the treaty with the Chippewas of the Mis-  
 12163 sissippi bands, of August 2, 1847, shall be paid to the chief,  
 12164 Hole-in-the-Day, and to his heirs; and there shall be set apart,  
 12165 by selections to be made in their behalf and reported to the In-  
 12166 terior Department by the agent, one half section of land each,  
 12167 upon the Gulf Lake reservation, for Min-a-ge-shig and Truman  
 12168 A. Warren, who shall be entitled to patents for the same upon  
 12169 such selections being reported to the Department.

12170 ARTICLE 6. Upon the ratification of this treaty, the Secre-  
 12171 tary of the Interior shall designate one or more persons who  
 12172 shall, in connection with the agent for the Chippewas in Minne-  
 12173 sota, and such of their chiefs, parties to this agreement, as he  
 12174 may deem sufficient, proceed to locate, as near as may be, the  
 12175 reservation set apart by the second article hereof, and designate  
 12176 the places where improvements shall be made; and such portion  
 12177 of the improvements provided for in the fourth article of the  
 12178 Chippewa treaty of May 7, 1864, as the agent may deem neces-  
 12179 sary and proper, with the approval of the Commissioner of In-  
 12180 dian Affairs, may be made upon the new reservation, and the  
 12181 United States will pay the expenses of negotiating this treaty,  
 12182 not to exceed ten thousand dollars.

12183 ARTICLE 7. As soon as the location of the reservation set  
 12184 apart by the second article hereof shall have been approxi-  
 12185 mately ascertained, and reported to the office of Indian Affairs,

12186 the Secretary of the Interior shall cause the same to be sur-  
 12187 veyed in conformity to the system of Government surveys, and  
 12188 whenever, after such survey, any Indian, of the bands parties  
 12189 hereto, either male or female, shall have ten acres of land under  
 12190 cultivation, such Indian shall be entitled to receive a certificate,  
 12191 showing him to be entitled to the forty acres of land, according  
 12192 to legal subdivision, containing the said ten acres or the greater  
 12193 part thereof, and whenever such Indian shall have an additional  
 12194 ten acres under cultivation, he or she shall be entitled to a cer-  
 12195 tificate for additional forty acres, and so on, until the full  
 12196 amount of one hundred and sixty acres may have been certified  
 12197 to any one Indian; and the land so held by any Indian shall be  
 12198 exempt from taxation and sale for debt, and shall not be alien-  
 12199 ated except with the approval of the Secretary of the Interior,  
 12200 and in no case to any person not a member of the Chippewa  
 12201 tribe.

12202 ARTICLE 8. For the purpose of protecting and encourag-  
 12203 ing the Indians, parties to this treaty, in their efforts to become  
 12204 self-sustaining by means of agriculture, and the adoption of the  
 12205 habits of civilized life, it is hereby agreed that, in case of the  
 12206 commission by any of the said Indians of crimes against life or  
 12207 property, the person charged with such crimes may be arrested,  
 12208 upon the demand of the agent, by the sheriff of the county of  
 12209 Minnesota in which said reservation may be located, and when  
 12210 so arrested may be tried, and if convicted, punished in the same  
 12211 manner as if he were not a member of an Indian tribe.

12212 Proclaimed April 18, 1867.

#### 12213 CHOCTAWS AND CHICKASAWS.

12214 FRANKLIN PIERCE, President of the United States of America,  
 12215 to all and singular to whom these presents shall come,  
 12216 greeting:

12217 Whereas a treaty was made and concluded at the city of  
 12218 Washington on the twenty-second day of June, one thousand  
 12219 eight hundred and fifty-five, by George W. Manypenny, com-  
 12220 missioner on the part of the United States, Peter P. Pitchlynn,  
 12221 Israel Folsom, Samuel Garland, and Dixon W. Lewis, commis-  
 12222 sioners on the part of the Choctaws, and Edmund Pickens and  
 12223 Sampson Folsom, commissioners on the part of the Chickasaws,  
 12224 which treaty is in the words following, to wit:

12225 Articles of agreement and convention between the United  
 12226 States and the Choctaw and Chickasaw tribes of Indians,  
 12227 made and concluded at the city of Washington the twenty-  
 12228 second day of June, A. D. one thousand eight hundred and

12229        fifty-five, by George W. Manypenny, commissioner on the  
 12230        part of the United States, Peter P. Pitchlynn, Israel Fol-  
 12231        som, Samuel Garland, and Dixon W. Lewis, commissioners  
 12232        on the part of the Choctaws, and Edmund Pickens and  
 12233        Sampson Folsom, commissioners on the part of the Chicka-  
 12234        saws :

12235        Whereas the political connexion heretofore existing be-  
 12236        tween the Choctaw and the Chickasaw tribes of Indians has  
 12237        given rise to unhappy and injurious dissensions and controver-  
 12238        sies among them, which render necessary a re-adjustment of  
 12239        their relations to each other and to the United States; and

12240        Whereas the United States desire that the Choctaw Indians  
 12241        shall relinquish all claim to any territory west of the one hun-  
 12242        dredth degree of west longitude, and also to make provision for  
 12243        the permanent settlement within the Choctaw country of the  
 12244        Wichita and certain other tribes or bands of Indians, for which  
 12245        purpose the Choctaws and Chickasaws are willing to lease, on  
 12246        reasonable terms, to the United States, that portion of their  
 12247        common territory which is west of the ninety-eighth degree of  
 12248        west longitude; and

12249        Whereas the Choctaws contend that, by a just and fair  
 12250        construction of the treaty of September 27, 1830, they are,  
 12251        of right, entitled to the net proceeds of the lands ceded by  
 12252        them to the United States, under said treaty, and have pro-  
 12253        posed that the question of their right to the same, together  
 12254        with the whole subject-matter of their unsettled claims, whether  
 12255        national or individual, against the United States, arising under  
 12256        the various provisions of said treaty, shall be referred to the  
 12257        Senate of the United States for final adjudication and adjust-  
 12258        ment; and whereas it is necessary for the simplification and  
 12259        better understanding of the relations between the United States  
 12260        and the Choctaw Indians, that all their subsisting treaty stipu-  
 12261        lations be embodied in one comprehensive instrument :

12262        Now, therefore, the United States of America, by their  
 12263        commissioner, George W. Manypenny, the Choctaws, by their  
 12264        commissioners, Peter P. Pitchlynn, Israel Folsom, Samuel Gar-  
 12265        land, and Dickson W. Lewis, and the Chickasaws, by their com-  
 12266        missioners, Edmund Pickens and Sampson Folsom, do hereby  
 12267        agree and stipulate as follows, viz :

12268        ARTICLE 1. The following shall constitute and remain the  
 12269        boundaries of the Choctaw and Chickasaw country, viz: Begin-  
 12270        ning at a point on the Arkansas River, one hundred paces east  
 12271        of old Fort Smith, where the western boundary-line of the State  
 12272        of Arkansas crosses the said river, and running thence due  
 12273        south to Red River; thence up Red River to the point where the  
 12274        meridian of one hundred degrees west longitude crosses the

12275 same; thence north along said meridian to the main Canadian  
 12276 River; thence down said river to its junction with the Arkansas  
 12277 River; thence down said river to the place of beginning.

12278 And pursuant to an act of Congress approved May 28, 1830,  
 12279 the United States do hereby forever secure and guarantee the  
 12280 lands embraced within the said limits to the members of the  
 12281 Choctaw and Chickasaw tribes, their heirs and successors, to be  
 12282 held in common; so that each and every member of either tribe  
 12283 shall have an equal, undivided interest in the whole: *Provided,*  
 12284 *however,* No part thereof shall ever be sold without the consent  
 12285 of both tribes, and that said land shall revert to the United  
 12286 States if said Indians and their heirs become extinct or abandon  
 12287 the same.

12288 ARTICLE 2. A district for the Chickasaws is hereby estab-  
 12289 lished, bounded as follows, to wit: Beginning on the north bank  
 12290 of Red River, at the mouth of Island Bayou, where it empties  
 12291 into Red River, about twenty-six miles in a straight line below  
 12292 the mouth of False Wachitta; thence running a northwesterly  
 12293 course, along the main channel of said bayou, to the junction of  
 12294 the three prongs of said bayou, nearest the dividing ridge be-  
 12295 tween Wachitta and Low Blue Rivers, as laid down on Capt.  
 12296 R. L. Hunter's map; thence northerly along the eastern prong  
 12297 of Island Bayou to its source; thence due north to the Canadian  
 12298 River; thence west along the main Canadian to the ninety-eighth  
 12299 degree of west longitude; thence south to Red River; and  
 12300 thence down Red River to the beginning: *Provided, however,*  
 12301 If the line running due north from the eastern source of Island  
 12302 Bayou to the main Canadian shall not include Allen's or Wa-  
 12303 pa-nacka Academy within the Chickasaw District, then an off-  
 12304 set shall be made from said line, so as to leave said academy  
 12305 two miles within the Chickasaw district, north, west, and south  
 12306 from the lines of boundary.

12307 ARTICLE 3. The remainder of the country held in common by  
 12308 the Choctaws and Chickasaws shall constitute the Choctaw dis-  
 12309 trict, and their officers and people shall at all times have the  
 12310 right of safe conduct and free passage through the Chickasaw  
 12311 district.

12312 ARTICLE 4. The government and laws now in operation and  
 12313 not incompatible with this instrument shall be and remain in  
 12314 full force and effect within the limits of the Chickasaw district,  
 12315 until the Chickasaws shall adopt a constitution, and enact laws,  
 12316 superseding, abrogating, or changing the same. And all judi-  
 12317 cial proceedings within said district, commenced prior to the  
 12318 adoption of a constitution and laws by the Chickasaws, shall be  
 12319 conducted and determined according to existing laws.

12320 ARTICLE 5. The members of either the Choctaw or the

12321 Chickasaw tribe shall have the right, freely, to settle within the  
 12322 jurisdiction of the other, and shall thereupon be entitled to all  
 12323 the rights, privileges, and immunities of citizens thereof; but  
 12324 no member or either tribe shall be entitled to participate in  
 12325 the funds belonging to the other tribe. Citizens of both tribes  
 12326 shall have the right to institute and prosecute suits in the courts  
 12327 of either, under such regulations as may, from time to time, be  
 12328 prescribed by their respective legislatures.

12329 ARTICLE 6. Any person duly charged with a criminal offence  
 12330 against the laws of either the Choctaw or the Chickasaw tribe,  
 12331 and escaping into the jurisdiction of the other, shall be promptly  
 12332 surrendered, upon the demand of the proper authorities of the  
 12333 tribe within whose jurisdiction the offence shall be alleged to  
 12334 have been committed.

12335 ARTICLE 7. So far as may be compatible with the Constitu-  
 12336 tion of the United States and the laws made in pursuance there-  
 12337 of, regulating trade and intercourse with the Indian tribes, the  
 12338 Choctaws and Chickasaws shall be secured in the unrestricted  
 12339 right of self-government, and full jurisdiction over persons and  
 12340 property within their respective limits; excepting, however, all  
 12341 persons, with their property, who are not by birth, adoption, or  
 12342 otherwise citizens or members of either the Choctaw or Chicka-  
 12343 saw tribe; and all persons, not being citizens or members of  
 12344 either tribe, found within their limits, shall be considered in-  
 12345 truders, and be removed from and kept out of the same by the  
 12346 United States agent, assisted if necessary by the military, with  
 12347 the following exceptions, viz: Such individuals as are now, or  
 12348 may be in the employment of the Government, and their fami-  
 12349 lies; those peacefully travelling, or temporarily sojourning in  
 12350 the country or trading therein, under license from the proper  
 12351 authority of the United States, and such as may be permitted  
 12352 by the Choctaws or Chickasaws, with the assent of the United  
 12353 States agent, to reside within their limits, without becoming  
 12354 citizens or members of either of said tribes.

12355 ARTICLE 8. In consideration of the foregoing stipulations,  
 12356 and immediately upon the ratification of this convention, there  
 12357 shall be paid to the Choctaws, in such manner as their national  
 12358 council shall direct, out of the national fund of the Chickasaws  
 12359 held in trust by the United States, the sum of one hundred and  
 12360 fifty thousand dollars.

12361 ARTICLE 9. The Choctaw Indians do hereby absolutely and  
 12362 forever quit-claim and relinquish to the United States all their  
 12363 right, title, and interest in and to any and all lands west of the  
 12364 one hundredth degree of west longitude; and the Choctaws and  
 12365 Chickasaws do hereby lease to the United States all that por-  
 12366 tion of their common territory west of the ninety-eighth degree

12367 of west longitude, for the permanent settlement of the Wichita  
 12368 and such other tribes or bands of Indians as the Government  
 12369 may desire to locate therein; excluding, however, all the In-  
 12370 dians of New Mexico, and also those whose usual ranges at  
 12371 present are north of the Arkansas River, and whose permanent  
 12372 locations are north of the Canadian River, but including those  
 12373 bands whose permanent ranges are south of the Canadian, or  
 12374 between it and the Arkansas; which Indians shall be subject to  
 12375 the exclusive control of the United States, under such rules and  
 12376 regulations, not inconsistent with the rights and interests of  
 12377 the Choctaws and Chickasaws, as may from time to time be  
 12378 prescribed by the President for their government: *Provided,*  
 12379 *however,* The territory so leased shall remain open to settlement  
 12380 by Choctaws and Chickasaws as heretofore.

12381 ARTICLE 10. In consideration of the foregoing relinquish-  
 12382 ment and lease, and as soon as practicable after the ratification  
 12383 of this convention, the United States will pay to the Choctaws  
 12384 the sum of six hundred thousand dollars, and to the Chicka-  
 12385 saws the sum of two hundred thousand dollars, in such manner  
 12386 as their general councils shall respectively direct.

12387 ARTICLE 11. The Government of the United States not  
 12388 being prepared to assent to the claim set up under the treaty of  
 12389 September the twenty-seventh, eighteen hundred and thirty,  
 12390 and so earnestly contended for by the Choctaws as a rule of  
 12391 settlement, but justly appreciating the sacrifices, faithful ser-  
 12392 vices, and general good conduct of the Choctaw people, and  
 12393 being desirous that their rights and claims against the United  
 12394 States shall receive a just, fair, and liberal consideration, it is  
 12395 therefore stipulated that the following questions be submitted  
 12396 for adjudication to the Senate of the United States:

12397 First. Whether the Choctaws are entitled to, or shall be  
 12398 allowed, the proceeds of the sale of the lands ceded by them to  
 12399 the United States by the treaty of September the twenty-sev-  
 12400 enth, eighteen hundred and thirty, deducting therefrom the cost  
 12401 of their survey and sale, and all just and proper expenditures  
 12402 and payments under the provisions of said treaty; and if so,  
 12403 what price per acre shall be allowed to the Choctaws for the  
 12404 lands remaining unsold, in order that a final settlement with  
 12405 them may be promptly effected. Or,

12406 Second. Whether the Choctaws shall be allowed a gross  
 12407 sum in further and full satisfaction of all their claims, national  
 12408 and individual, against the United States; and, if so, how much.

12409 ARTICLE 12. In case the Senate shall award to the Choc-  
 12410 taws the net proceeds of the lands, ceded as aforesaid, the same  
 12411 shall be received by them in full satisfaction of all their claims  
 12412 against the United States, whether national or individual, aris-

12413 ing under any former treaty; and the Choctaws shall there-  
 12414 upon become liable and bound to pay all such individual claims  
 12415 as may be adjudged by the proper authorities of the tribe to be  
 12416 equitable and just, the settlement and payment to be made  
 12417 with the advice and under the direction of the United States  
 12418 agent for the tribe; and so much of the fund, awarded by the  
 12419 Senate to the Choctaws, as the proper authorities thereof shall  
 12420 ascertain and determine to be necessary for the payment of the  
 12421 just liabilities of the tribe, shall, on their requisition, be paid  
 12422 over to them by the United States. But should the Senate  
 12423 allow a gross sum, in further and full satisfaction of all their  
 12424 claims, whether national or individual, against the United  
 12425 States, the same shall be accepted by the Choctaws, and they  
 12426 shall thereupon become liable for, and bound to pay, all the in-  
 12427 dividual claims as aforesaid; it being expressly understood that  
 12428 the adjudication and decision of the Senate shall be final.

12429 ARTICLE 13. The amounts secured by existing treaty stipu-  
 12430 lations—viz: permanent annuity of three thousand dollars, un-  
 12431 der the second article of the treaty of eighteen hundred and  
 12432 five; six hundred dollars per annum for the support of light-  
 12433 horse men under the thirteenth article of the treaty of eighteen  
 12434 hundred and twenty; permanent annuity of six thousand dol-  
 12435 lars for education, under the second article of the treaty of  
 12436 eighteen hundred and twenty-five; six hundred dollars per  
 12437 annum permanent provision for the support of a blacksmith,  
 12438 under the sixth article of the treaty of eighteen hundred and  
 12439 twenty; and three hundred and twenty dollars permanent pro-  
 12440 vision for iron and steel, under the ninth article of the treaty of  
 12441 eighteen hundred and twenty-five—shall continue to be paid to,  
 12442 or expended for the benefit of, the Choctaws as heretofore; or  
 12443 the same may be applied to such objects of general utility as  
 12444 may, from time to time, be designated by the general council of  
 12445 the tribe, with the approbation of the Government of the United  
 12446 States. And the funds now held in trust by the United States  
 12447 for the benefit of the Choctaws under former treaties, or other-  
 12448 wise, shall continue to be so held; together with the sum of  
 12449 five hundred thousand dollars out of the amount payable to  
 12450 them under articles eighth and tenth of this agreement, and  
 12451 also whatever balance shall remain, if any, of the amount that  
 12452 shall be allowed the Choctaws, by the Senate, under the twelfth  
 12453 article hereof, after satisfying the just liabilities of the tribe.  
 12454 The sums so to be held in trust shall constitute a general Choctaw  
 12455 fund, yielding an annual interest of not less than five per  
 12456 centum; no part of which shall be paid out as annuity, but  
 12457 shall be regularly and judiciously applied, under the direction  
 12458 of the general council of the Choctaws, to the support of their  
 12459 government, for purposes of education, and such other objects

12460 as may be best calculated to promote and advance the improve-  
 12461 ment, welfare, and happiness of the Choctaw people and their  
 12462 descendants.

12463 ARTICLE 14. The United States shall protect the Choctaws  
 12464 and Chickasaws from domestic strife, from hostile invasion, and  
 12465 from aggression by other Indians and white persons not subject  
 12466 to their jurisdiction and laws : and for all injuries resulting from  
 12467 such invasion or aggression, full indemnity is hereby guaranteed  
 12468 to the party or parties injured, out of the Treasury of the United  
 12469 States, upon the same principle and according to the same rules  
 12470 upon which white persons are entitled to indemnity for injuries  
 12471 or aggressions upon them, committed by Indians.

12472 ARTICLE 15. The Choctaws and Chickasaws shall promptly  
 12473 apprehend and deliver up all persons accused of any crime or  
 12474 offence against the laws of the United States, or of any State  
 12475 thereof, who may be found within their limits, on demand of any  
 12476 proper officer of a State, or of the United States.

12477 ARTICLE 16. All persons licensed by the United States to trade  
 12478 with the Choctaws or Chickasaws shall be required to pay to the  
 12479 respective tribes a moderate annual compensation for the land  
 12480 and timber used by them ; the amount of such compensation, in  
 12481 each case, to be assessed by the proper authorities of said tribe,  
 12482 subject to the approval of the United States agent.

12483 ARTICLE 17. The United States shall have the right to es-  
 12484 tablish and maintain such military posts, post-roads, and Indian  
 12485 agencies as may be deemed necessary within the Choctaw and  
 12486 Chickasaw country, but no greater quantity of land or timber  
 12487 shall be used for said purposes than shall be actually requisite ;  
 12488 and if, in the establishment or maintenance of such posts, post-  
 12489 roads, and agencies, the property of any Choctaw or Chicka-  
 12490 saw shall be taken, injured, or destroyed, just and adequate  
 12491 compensation shall be made by the United States. Only such  
 12492 persons as are, or may be in the employment of the United  
 12493 States, or subject to the jurisdiction and laws of the Choctaws,  
 12494 or Chickasaws, shall be permitted to farm or raise stock within  
 12495 the limits of any of said military posts or Indian agencies. And  
 12496 no offender against the laws of either of said tribes shall be per-  
 12497 mitted to take refuge therein.

12498 ARTICLE 18. The United States, or any incorporated company,  
 12499 shall have the right of way for railroads, or lines of telegraphs,  
 12500 through the Choctaw and Chickasaw country ; but for any prop-  
 12501 erty taken or destroyed in the construction thereof, full compen-  
 12502 sation shall be made to the party or parties injured, to be ascer-  
 12503 tained and determined in such manner as the president of the  
 12504 United States shall direct.

12505 ARTICLE 19. The United States shall, as soon as practica-  
 12506 ble, cause the eastern and western boundary lines of the tract

12507 of country described in the 1st article of this convention, and  
 12508 the western boundary of the Chickasaw district, as herein de-  
 12509 fined, to be run and permanently marked.

12510 ARTICLE 20. That this convention may conduce as far as  
 12511 possible to the restoration and preservation of kind and friendly  
 12512 feeling among the Choctaws and Chickasaws, a general amnesty  
 12513 of all past offences, committed within their country, is hereby  
 12514 declared.

12515 And in order that their relations to each other and to the  
 12516 United States may hereafter be conducted in a harmonious and  
 12517 satisfactory manner, there shall be but one agent for the two  
 12518 tribes.

12519 ARTICLE 21. This convention shall supersede and take the  
 12520 place of all former treaties between the United States and the  
 12521 Choctaws, and also of all treaty stipulations between the United  
 12522 States and the Chickasaws, and between the Choctaws and  
 12523 Chickasaws, inconsistent with this agreement, and shall take  
 12524 effect and be obligatory upon the contracting parties from the  
 12525 date hereof, whenever the same shall be ratified by the respec-  
 12526 tive councils of the Choctaw and Chickasaw tribes, and by the  
 12527 President and Senate of the United States.

12528 ARTICLE 22. It is understood and agreed that the expenses  
 12529 of the respective commissioners of the two tribes, signing these  
 12530 articles of agreement and convention, in coming to and return-  
 12531 ing from this city, and while here, shall be paid by the United  
 12532 States.

12533 In testimony whereof the said George W. Manypenny, com-  
 12534 missioner on the part of the United States, and the said com-  
 12535 missioners on the part of the Choctaws and of the Chickasaws,  
 12536 have hereunto set their hands and seals.

12537 Done in triplicate, at the city of Washington, on this twenty-  
 12538 second day of June, in the year of our Lord one thousand eight  
 12539 hundred and fifty-five.

12540 GEORGE W. MANYPENNY,  
 12541 *United States Commissioner.* [L. S.]

12542 P. P. PITCHLYNN, [L. S.]

12543 ISRAEL FOLSOM, [L. S.]

12544 SAM'L GARLAND, [L. S.]

12545 DICKSON W. LEWIS, [L. S.]

12546 *Choctaw Commissioners.*

12547 EDMUND PICKENS, his x mark, [L. S.]

12548 SAMPSON FOLSOM, [L. S.]

12549 *Chickasaw Commissioners.*

12550 Executed in presence of—

12551 A. O. P. NICHOLSON,

12552 JAMES G. BERRET,

12553 DOUGLAS H. COOPER, *United States Indian Agent.*

12554       And whereas the said treaty having been submitted to the  
 12555       general council of the Chickasaw tribe, the general council did,  
 12556       on the third day of October, A. D. one thousand eight hundred  
 12557       and fifty-five, assent to, ratify, and confirm the same, with the  
 12558       following amendment: "Add to the 19th article, 'by com-  
 12559       missioners to be appointed by the contracting parties hereto,'"   
 12560       by an instrument in writing, in the words and figures following,  
 12561       to wit:

12562       Whereas articles of agreement and convention were made  
 12563       and concluded on the twenty-second day of June, A. D. one  
 12564       thousand eight hundred and fifty-five, by and between George  
 12565       W. Manypenny, commissioner on the part of the United States,  
 12566       Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dick-  
 12567       son W. Lewis, commissioners on the part of the Choctaws, and  
 12568       Edmund Pickens and Sampson Folsom, commissioners on the  
 12569       part of the Chickasaws, at the city of Washington, in the Dis-  
 12570       trict of Columbia, the preamble whereof is in the words and  
 12571       figures following, "to wit:"

12572       Whereas the political connection heretofore existing between  
 12573       the Choctaw and Chickasaw tribes of Indians has given rise to  
 12574       unhappy and injurious dissensions and controversies among  
 12575       them, which render necessary a re-adjustment of their relations  
 12576       to each other and to the United States; and

12577       Whereas the United States desire that the Choctaw Indians  
 12578       shall relinquish all claim to any territory west of the one hun-  
 12579       dredth degree of west longitude, and also to make provision for  
 12580       the permanent settlement within the Choctaw country of the  
 12581       Wichita and certain other tribes or bands of Indians, for which  
 12582       purpose the Choctaws and Chickasaws are willing to lease, on  
 12583       reasonable terms, to the United States, that portion of their  
 12584       common territory which is west of the ninety-eighth degree of  
 12585       west longitude; and

12586       Whereas the Choctaws contend that, by a just and fair con-  
 12587       struction of the treaty of September 27, 1830, they are of right  
 12588       entitled to the net proceeds of the lands ceded by them to the  
 12589       United States under said treaty, and have proposed that the  
 12590       question of their right to the same, together with the whole sub-  
 12591       ject-matter of their unsettled claims, whether national or indi-  
 12592       vidual, against the United States, arising under the various pro-  
 12593       visions of said treaty, shall be referred to the Senate of the  
 12594       United States for final adjudication and adjustment; and

12595       Whereas it is necessary, for the simplification and better  
 12596       understanding of the relations between the United States and  
 12597       the Choctaw Indians, that all their subsisting treaty stipulations  
 12598       be embodied in one comprehensive instrument; and

12599       Whereas, in the twenty-first article thereof, it is, among

12600 other things, recited that said agreement "shall take effect and  
 12601 be obligatory upon the contracting parties from the date hereof,  
 12602 whenever the same shall be ratified by the respective councils of  
 12603 the Choctaw and Chickasaw tribes of Indians and by the Presi-  
 12604 dent and Senate of the United States:"

12605 Now, therefore, be it known, that the Chickasaws, in gene-  
 12606 ral council assembled, having duly considered said articles of  
 12607 agreement and convention, and each and every clause thereof,  
 12608 and being satisfied therewith, do, upon their part, hereby assent  
 12609 to, ratify, and confirm the same, as stipulated and required, with  
 12610 the following amendment: "Add to the nineteenth article, 'By  
 12611 commissioners to be appointed by the contracting parties here-  
 12612 to.'"

12613 Done and approved at Tishomingo, in the Chickasaw dis-  
 12614 trict of the Choctaw Nation, this 3d day of October, in the year  
 12615 of our Lord one thousand eight hundred and fifty-five.

12616 Passed the council.

JOEL KEMP, *President.*

D. COLBERT, *F. C.*

12617  
 12618  
 12619 Attest:

12620 CYRUS HARRIS, *Clerk of the Council.*

12621 And whereas the Chickasaws, in general council assembled,  
 12622 did, on the 13th day of December, A. D. 1855, recede from and  
 12623 rescind the said amendment, and did ratify and confirm the said  
 12624 treaty, and every part thereof, by an instrument in writing, in  
 12625 the words and figures following, to wit:

12626 Whereas the Chickasaws, in general council assembled, after  
 12627 having duly considered the stipulations contained in a certain  
 12628 convention and agreement, made and entered into at the city of  
 12629 Washington, on the 22d day of June, A. D. 1855, between George  
 12630 W. Manypenny, commissioner on the part of the United States;  
 12631 Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dick-  
 12632 son W. Lewis, commissioners on the part of the Choctaws; Ed-  
 12633 mund Pickens and Sampson Folsom, commissioners on the part  
 12634 of the Chickasaws, did, on the third day of October, A. D. 1855,  
 12635 at Tishomingo, in the Chickasaw district, Choctaw Nation,  
 12636 assent to, ratify, and confirm each and every part of said con-  
 12637 vention and agreement, with the following amendment, viz:  
 12638 "Add to the 19th article, 'By commissioners to be appointed  
 12639 by the contracting parties hereto;'" and

12640 Whereas said amendment was not duly considered and con-  
 12641 curred in by the Choctaws in general council assembled; but  
 12642 said agreement and convention, and every part thereof, was  
 12643 assented to, ratified, and confirmed by said council without  
 12644 amendment:

12645 Now, therefore, be it known, that the Chickasaws, in

12646 general council assembled, having reconsidered said proposed  
 12647 amendment, do hereby recede from and rescind the same, hereby  
 12648 assenting to, ratifying, and confirming said agreement and con-  
 12649 vention, and every part thereof.

12650 Done and approved at the council-house at Tishomingo,  
 12651 Chickasaw district, Choctaw Nation, this 13th day of December,  
 12652 A. D. 1855.

12653 Approved December 13, 1855.

12654 J. McCOY, *President of the Council.*

12655 DOUGHERTY COLBERT, *F. C.*

12656 Attest:

12657 CYRUS HARRIS, *Secretary.*

12658 Signed in presence of—

12659 JACKSON FRAZIER.

12660 *Chief Chickasaw District, Choctaw Nation.*

12661 DOUGLAS H. COOPER,

12662 *U. S. Indian Agent.*

12663 And whereas the said treaty having been submitted to the  
 12664 general council of the Choctaw tribe, the said general council  
 12665 did, on the 16th day of November, A. D. one thousand eight  
 12666 hundred and fifty-five, consent to and ratify the same by an  
 12667 instrument in the words and figures following, to wit:

12668 Whereas articles of agreement and convention were made  
 12669 and concluded on the twenty-second day of June, A. D. one  
 12670 thousand eight hundred and fifty-five, by and between George  
 12671 W. Manypenny, commissioner on the part of the United States;  
 12672 Peter P. Pitchlynn, Israel Folsom, Samuel Garland, and Dickson  
 12673 W. Lewis, commissioners on the part of the Choctaws; and Ed-  
 12674 mund Pickens and Sampson Folsom, commissioners on the part of  
 12675 the Chickasaws, at the city of Washington, in the District of  
 12676 Columbia, the preamble whereof is in the words and figures fol-  
 12677 lowing, viz: "Whereas the political connection heretofore exist-  
 12678 ing between the Choctaw and the Chickasaw tribes of Indians has  
 12679 given rise to unhappy and injurious dissensions and controver-  
 12680 sies among them, which render necessary a readjustment of their  
 12681 relations to each other and to the United States; and

12682 "Whereas the United States desire that the Choctaw Indians  
 12683 shall relinquish all claim to any territory west of the one hun-  
 12684 dredth degree of west longitude, and also to make provision for  
 12685 the permanent settlement within the Choctaw country of the  
 12686 Wichita and certain other tribes or bands of Indians, for which  
 12687 purpose the Choctaws and Chickasaws are willing to lease, on  
 12688 reasonable terms, to the United States, that portion of their  
 12689 common territory which is west of the ninety-eighth degree of  
 12690 west longitude; and

12691 "Whereas the Choctaws contend that, by a just and fair con-

struction of the treaty of September 27, 1830, they are of right entitled to the net proceeds of the lands ceded by them to the United States, under said treaty, and have proposed that the question of their right to the same, together with the whole subject-matter of their unsettled claims, whether national or individual, against the United States, arising under the various provisions of said treaty, shall be referred to the Senate of the United States for final adjudication and adjustment; and

“Whereas it is necessary, for the simplification and better understanding of the relations between the United States and the Choctaw Indians, that all their subsisting treaty stipulations be embodied in one comprehensive instrument;” and whereas in the twenty-first article thereof, it is, among other things, recited that said agreement “shall take effect and be obligatory upon the contracting [parties] from the date hereof, whenever the same shall be ratified by the respective councils of the Choctaw and Chickasaw tribes and by the President and Senate of the United States:”

Now, therefore, be it known, that the Choctaws, in general council assembled, having duly considered said articles of agreement and convention, and each and every clause thereof, and being satisfied therewith, do, upon their part, hereby assent to, ratify, and confirm the same as stipulated and required.

Proclaimed March 4, 1856.

*Treaty between the United States of America and the Choctaw and Chickasaw Indians, concluded April 28, 1866; ratification advised, with amendments, June 28, 1866; amendments accepted July 2, 1866.*

ANDREW JOHNSON, President of the United States of America, to all and singular to whom these presents shall come, greeting:

Whereas a treaty was made and concluded at the city of Washington, in the District of Columbia, on the twenty-eighth day of April, in the year of our Lord one thousand eight hundred and sixty-six, by and between Dennis N. Cooley, Elijah Sells, and E. S. Parker, commissioners on the part of the United States, and Alfred Wade, Allen Wright, James Riley, and John Page, commissioners on the part of the Choctaw Nation of Indians, and Winchester Colbert, Edmund Pickens, Holmes Colbert, Colbert Carter, and Robert H. Love, commissioners on the part of the Chickasaw Nation of Indians, all of which commissioners were duly authorized thereto, which treaty is in the words and figures following, to wit:

12735 Articles of agreement and convention between the United States  
 12736 and the Choctaw and Chickasaw Nations of Indians, made  
 12737 and concluded at the city of Washington the twenty-eighth  
 12738 day of April, in the year eighteen hundred and sixty-six,  
 12739 by Dennis N. Cooley, Elijah Sells, and E. S. Parker, special  
 12740 commissioners on the part of the United States, and Alfred  
 12741 Wade, Allen Wright, James Riley, and John Page, commis-  
 12742 sioners on the part of the Choctaws, and Winchester Col-  
 12743 bert, Edmund Pickens, Holmes Colbert, Colbert Carter,  
 12744 and Robert H. Love, commissioners on the part of the  
 12745 Chickasaws.

12746 ARTICLE 1. Permanent peace and friendship are hereby es-  
 12747 tablished between the United States and said nations; and the  
 12748 Choctaws and Chickasaws do hereby bind themselves respect-  
 12749 ively to use their influence and to make every exertion to induce  
 12750 Indians of the plains to maintain peaceful relations with each  
 12751 other, with other Indians, and with the United States.

12752 ARTICLE 2. The Choctaws and Chickasaws hereby cove-  
 12753 nant and agree that henceforth neither slavery nor involuntary  
 12754 servitude, otherwise than in punishment of crime whereof the  
 12755 parties shall have been duly convicted, in accordance with laws  
 12756 applicable to all members of the particular nation, shall ever  
 12757 exist in said nations.

12758 ARTICLE 3. The Choctaws and Chickasaws, in consider-  
 12759 ation of the sum of three hundred thousand dollars, hereby cede  
 12760 to the United States the territory west of the 98<sup>o</sup> west longi-  
 12761 tude, known as the leased district, provided that the said sum  
 12762 shall be invested and held by the United States, at an interest  
 12763 not less than five per cent., in trust for the said nations, until  
 12764 the legislatures of the Choctaw and Chickasaw Nations respect-  
 12765 ively shall have made such laws, rules, and regulations as may  
 12766 be necessary to give all persons of African descent, resident in  
 12767 the said nations at the date of the treaty of Fort Smith, and  
 12768 their descendants, heretofore held in slavery among said nations,  
 12769 all the rights, privileges, and immunities, including the right of  
 12770 suffrage, of citizens of said nations, except in the annuities,  
 12771 moneys, and public domain claimed by, or belonging to, said  
 12772 nations respectively; and also to give to such persons who were  
 12773 residents as aforesaid, and their descendants, forty acres each of  
 12774 the land of said nations on the same terms as the Choctaws and  
 12775 Chickasaws, to be selected on the survey of said land, after the  
 12776 Choctaws and Chickasaws and Kansas Indians have made their  
 12777 selections, as herein provided; and immediately on the enact-  
 12778 ment of such laws, rules, and regulations, the said sum of three  
 12779 hundred thousand dollars shall be paid to the said Choctaw and  
 12780 Chickasaw Nations in the proportion of three-fourths to the

12781 former and one-fourth to the latter—less such sum, at the rate  
 12782 of one hundred dollars per capita, as shall be sufficient to pay  
 12783 such persons of African descent before referred to as within  
 12784 ninety days after the passage of such laws, rules, and regula-  
 12785 tions shall elect to remove and actually remove from the said  
 12786 nations respectively. And should the said laws, rules, and  
 12787 regulations not be made by the legislatures of the said nations  
 12788 respectively, within two years from the ratification of this treaty,  
 12789 then the said sum of three hundred thousand dollars shall cease  
 12790 to be held in trust for the said Choctaw and Chickasaw Nations,  
 12791 and be held for the use and benefit of such of said persons of  
 12792 African descent as the United States shall remove from the said  
 12793 Territory in such manner as the United States shall deem pro-  
 12794 per—the United States agreeing, within ninety days from the  
 12795 expiration of the said two years, to remove from said nations  
 12796 all such persons of African descent as may be willing to remove;  
 12797 those remaining or returning after having been removed from  
 12798 said nations to have no benefit of said sum of three hundred  
 12799 thousand dollars, or any part thereof, but shall be upon the same  
 12800 footing as other citizens of the United States in the said nations.

12801 ARTICLE 4. The said nations further agree that all negroes,  
 12802 not otherwise disqualified or disabled, shall be competent wit-  
 12803 nesses in all civil and criminal suits and proceedings in the Choctaw  
 12804 and Chickasaw courts, any law to the contrary notwithstanding;  
 12805 and they fully recognize the right of the freedmen to a fair  
 12806 remuneration on reasonable and equitable contracts for their  
 12807 labor, which the law should aid them to enforce. And they agree,  
 12808 on the part of their respective nations, that all laws shall be  
 12809 equal in their operation upon Choctaws, Chickasaws, and negroes,  
 12810 and that no distinction affecting the latter shall at any time be  
 12811 made, and that they shall be treated with kindness and be pro-  
 12812 tected against injury; and they further agree, that while the  
 12813 said freedmen, now in the Choctaw and Chickasaw Nations,  
 12814 remain in said nations, respectively, they shall be entitled to as  
 12815 much land as they may cultivate for the support of themselves  
 12816 and families, in cases where they do not support themselves and  
 12817 families by hiring, not interfering with existing improvements  
 12818 without the consent of the occupant, it being understood that in  
 12819 the event of the making of the laws, rules, and regulations afore-  
 12820 said, the forty acres aforesaid shall stand in place of the land  
 12821 cultivated as last aforesaid.

12822 ARTICLE 5. A general amnesty of all past offences against  
 12823 the laws of the United States, committed before the signing of  
 12824 this treaty by any member of the Choctaw or Chickasaw Nations, is  
 12825 hereby declared; and the United States will especially request  
 12826 the States of Missouri, Kansas, Arkansas, and Texas to grant

12827 the like amnesty as to all offences committed by any member of  
 12828 the Choctaw or Chickasaw Nation. And the Choctaws and  
 12829 Chickasaws, anxious for the restoration of kind and friendly  
 12830 feelings among themselves, do hereby declare an amnesty for  
 12831 all past offences against their respective governments, and no  
 12832 Indian or Indians shall be proscribed, or any act of forfeiture  
 12833 or confiscation passed against those who may have re-  
 12834 mained friendly to the United States, but they shall enjoy  
 12835 equal privileges with other members of said tribes, and all  
 12836 laws heretofore passed inconsistent herewith are hereby declared  
 12837 inoperative. The people of the Choctaw and Chickasaw Nations  
 12838 stipulate and agree to deliver up to any authorized agent of the  
 12839 United States all public property in their possession which  
 12840 belong to the late "so-called Confederate States of America," or  
 12841 the United States, without any reservation whatever; particu-  
 12842 larly ordnance, ordnance-stores, and arms of all kinds.

12843       ARTICLE 6. The Choctaws and Chickasaws hereby grant a  
 12844 right of way through their lands to any company or companies  
 12845 which shall be duly authorized by Congress, or by the legisla-  
 12846 tures of said nations, respectively, and which shall, with the ex-  
 12847 press consent and approbation of the Secretary of the Interior,  
 12848 undertake to construct a railroad through the Choctaw and  
 12849 Chickasaw Nations from the north to the south thereof, and  
 12850 from the east to the west side thereof, in accordance with  
 12851 the provisions of the 18th article of the treaty of June  
 12852 twenty-second, one thousand eight hundred and fifty-five, which  
 12853 provides that for any property taken or destroyed in the con-  
 12854 struction thereof full compensation shall be made to the party  
 12855 or parties injured, to be ascertained and determined in such  
 12856 manner as the President of the United States shall direct. But  
 12857 such railroad company or companies, with all its or their agents  
 12858 and employes shall be subject to the laws of the United States  
 12859 relating to intercourse with Indian tribes, and also to such rules  
 12860 and regulations as may be prescribed by the Secretary of the  
 12861 Interior for that purpose. And it is also stipulated and agreed  
 12862 that the nation through which the road or roads aforesaid shall  
 12863 pass may subscribe to the stock of the particular company or  
 12864 companies such amount or amounts as they may be able to pay  
 12865 for in alternate sections of unoccupied lands for a space of six  
 12866 miles on each side of said road or roads, at a price per acre to  
 12867 be agreed upon between said Choctaw and Chickasaw Nations  
 12868 and the said company or companies, subject to the approval of  
 12869 the President of the United States: *Provided, however,* That  
 12870 said land, thus subscribed, shall not be sold, or demised, or occu-  
 12871 pied by any one not a citizen of the Choctaw or Chickasaw  
 12872 Nations, according to their laws and recognized usages: *Pro-*

12873 *vided*, That the officers, servants, and employés of such compa-  
 12874 nies necessary to the construction and management of said road  
 12875 or roads shall not be excluded from such occupancy as their  
 12876 respective functions may require, they being subject to the pro-  
 12877 visions of the Indian intercourse law and such rules and regula-  
 12878 tions as may be established by the Secretary of the Interior.  
 12879 *And provided also*, That the stock thus subscribed by either of  
 12880 said nations shall have the force and effect of a first-mortgage  
 12881 bond on all that part of said road, appurtenances, and equip-  
 12882 ments situated and used within said nations respectively, and  
 12883 shall be a perpetual lien on the same, and the said nations shall  
 12884 have the right, from year to year, to elect to receive their equi-  
 12885 table proportion of declared dividends of profits on their said  
 12886 stock, or interest on the par value at the rate of six per cent.  
 12887 per annum.

12888 2. And it is further declared, in this connection, that as fast  
 12889 as sections of twenty miles in length are completed, with the rails  
 12890 laid ready for use, with all water and other stations necessary  
 12891 to the use thereof, as a first-class road, the said company or  
 12892 companies shall become entitled to patents for the alternate  
 12893 sections aforesaid, and may proceed to dispose thereof in the  
 12894 manner herein provided for, subject to the approval of the Sec-  
 12895 retary of the Interior.

12896 3. And it is further declared, also, in case of one or more of  
 12897 said alternate sections being occupied by any member or mem-  
 12898 bers of said nations respectively, so that the same cannot be  
 12899 transferred to the said company or companies, that the said  
 12900 nation or nations, respectively, may select any unoccupied sec-  
 12901 tion or sections, as near as circumstances will permit, to the said  
 12902 width of six miles on each side of said road or roads, and con-  
 12903 vey the same as an equivalent for the section or sections so oc-  
 12904 cupied as aforesaid.

12905 ARTICLE 7. The Choctaws and Chickasaws agree to such  
 12906 legislation as Congress and the President of the United States  
 12907 may deem necessary for the better administration of justice and  
 12908 the protection of the rights of person and property within the  
 12909 Indian Territory: *Provided, however*, Such legislation shall not  
 12910 in anywise interfere with or annul their present tribal organi-  
 12911 zation, or their respective legislatures or judiciaries, or the  
 12912 rights, laws, privileges, or customs of the Choctaw and Chicka-  
 12913 saw Nations respectively.

12914 ARTICLE 8. The Choctaws and Chickasaws also agree that  
 12915 a council, consisting of delegates elected by each nation or tribe  
 12916 lawfully resident within the Indian Territory, may be annually  
 12917 convened in said Territory, to be organized as follows:

12918 1. After the ratification of this treaty, and as soon as may

12919 be deemed practicable by the Secretary of the Interior, and  
 12920 prior to the first session of said assembly, a census of each tribe,  
 12921 lawfully resident in said Territory, shall be taken, under the di-  
 12922 rection of the Superintendent of Indian Affairs, by competent  
 12923 persons, to be appointed by him, whose compensation shall be  
 12924 fixed by the Secretary of the Interior and paid by the United  
 12925 States.

12926       2. The council shall consist of one member from each tribe  
 12927 or nation whose population shall exceed five hundred, and an  
 12928 additional member for each one thousand Indians, native or  
 12929 adopted, or each fraction of a thousand greater than five hundred  
 12930 being members of any tribe lawfully resident in said Territory,  
 12931 and shall be selected by the tribes or nations respectively who  
 12932 may assent to the establishment of said general assembly; and  
 12933 if none should be thus formally selected by any nation or tribe,  
 12934 it shall be represented in said general assembly by the chief or  
 12935 chiefs and head-men of said tribes, to be taken in the order of  
 12936 their rank as recognized in tribal usage in the number and pro-  
 12937 portions above indicated.

12938       3. After the said census shall have been taken and com-  
 12939 pleted, the superintendent of Indian affairs shall publish and  
 12940 declare to each tribe the number of members of said council to  
 12941 which they shall be entitled under the provisions of this article;  
 12942 and the persons so to represent the said tribes shall meet at such  
 12943 time and place as he shall designate, but thereafter the time and  
 12944 place of the sessions of the general assembly shall be determined  
 12945 by itself: *Provided*, That no session in any one year shall exceed  
 12946 the term of thirty days; and provided that the special sessions  
 12947 may be called whenever, in the judgment of the Secretary of the  
 12948 Interior, the interests of said tribes shall require it.

12949       4. The general assembly shall have power to legislate upon  
 12950 all subjects and matters pertaining to the intercourse and rela-  
 12951 tions of the Indian tribes and nations resident in the said Terri-  
 12952 tory, the arrest and extradition of criminals escaping from one  
 12953 tribe to another, the administration of justice between members  
 12954 of the several tribes of the said Territory, and persons other  
 12955 than Indians and members of said tribes or nations, the con-  
 12956 struction of works of internal improvement, and the common  
 12957 defence and safety of the nations of the said Territory. All  
 12958 laws enacted by said council shall take effect at the times  
 12959 therein provided, unless suspended by the Secretary of the  
 12960 Interior or the President of the United States. No law shall  
 12961 be enacted inconsistent with the Constitution of the United  
 12962 States or the laws of Congress, or existing treaty stipula-  
 12963 tions with the United States; nor shall said council legislate  
 12964 upon matters pertaining to the legislative, judicial, or other or-

12965 ganization, laws, or customs of the several tribes or nations, ex-  
 12966 cept as herein provided for.

12967 5. Said council shall be presided over by the superintendent  
 12968 of Indian affairs, or, in case of his absence from any cause, the  
 12969 duties of the superintendent enumerated in this article shall be  
 12970 performed by such person as the Secretary of the Interior shall  
 12971 indicate.

12972 6. The Secretary of the Interior shall appoint a secretary  
 12973 of said council, whose duty it shall be to keep an accurate record  
 12974 of all the proceedings of said council, and to transmit a true copy  
 12975 thereof, duly certified by the superintendent of Indian affairs,  
 12976 to the Secretary of the Interior, immediately after the sessions  
 12977 of said council shall terminate. He shall be paid five hundred  
 12978 dollars, as an annual salary, by the United States.

12979 7. The members of the said council shall be paid by the  
 12980 United States four dollars per diem while in actual attendance  
 12981 thereon, and four dollars mileage for every twenty miles going  
 12982 and returning therefrom by the most direct route, to be certified  
 12983 by the secretary of said council and the presiding officer.

12984 8. The Choctaws and Chickasaws also agree that a court or  
 12985 courts may be established in said Territory with such jurisdiction  
 12986 and organization as Congress may prescribe: *Provided*, That the  
 12987 same shall not interfere with the local judiciary of either of said  
 12988 nations.

12989 9. Whenever Congress shall authorize the appointment of a  
 12990 Delegate from said Territory, it shall be the province of said  
 12991 council to elect one from among the nations represented in said  
 12992 council.

12993 10. And it is further agreed that the superintendent of In-  
 12994 dian affairs shall be the executive of the said Territory, with the  
 12995 title of "governor of the Territory of Oklahoma," and that there  
 12996 shall be a secretary of the said Territory, to be appointed by the  
 12997 said superintendent; that the duty of the said governor, in addi-  
 12998 tion to those already imposed on the superintendent of Indian  
 12999 affairs, shall be such as properly belong to an executive officer  
 13000 charged with the execution of the laws, which the said council  
 13001 is authorized to enact under the provisions of this treaty; and  
 13002 that for this purpose he shall have authority to appoint a marshal  
 13003 of said Territory and an interpreter, the said marshal to appoint  
 13004 such deputies, to be paid by fees, as may be required to aid him  
 13005 in the execution of his proper functions, and be the marshal of  
 13006 the principal court of said Territory that may be established  
 13007 under the provisions of this treaty.

13008 11. And the said marshal and the said secretary shall each  
 13009 be entitled to a salary of five hundred dollars per annum, to be  
 13010 paid by the United States, and such fees in addition thereto as

13011 shall be established by said governor, with the approbation of  
 13012 the Secretary of the Interior, it being understood that the said  
 13013 fee-lists may at any time be corrected and altered by the Secre-  
 13014 tary of the Interior, as the experience of the system proposed  
 13015 herein to be established shall show to be necessary, and shall in  
 13016 no case exceed the fees paid to marshals of the United States  
 13017 for similar services. The salary of the interpreter shall be five  
 13018 hundred dollars, to be paid in like manner by the United States.

13019 12. And the United States agree that in the appointment  
 13020 of marshals and deputies, preference, qualifications being equal,  
 13021 shall be given to competent members of the said nations, the  
 13022 object being to create a laudable ambition to acquire the experi-  
 13023 ence necessary for political offices of importance in the respective  
 13024 nations.

13025 13. And whereas it is desired by the said Choctaw and  
 13026 Chickasaw Nations that the said council should consist of an  
 13027 upper and lower house, it is hereby agreed that, whenever a  
 13028 majority of the tribes or nations represented in said council shall  
 13029 desire the same, or the Congress of the United States shall so  
 13030 prescribe, there shall be, in addition to the council now provided  
 13031 for, and which shall then constitute the lower house, an upper  
 13032 house, consisting of one member from each tribe entitled to rep-  
 13033 resentation in the council now provided for, the relations of the  
 13034 two houses to each other being such as prevail in the States of  
 13035 the United States, each house being authorized to choose its pre-  
 13036 siding officer and clerk to perform the duties appropriate to such  
 13037 offices; and it being the duty, in addition, of the clerks of each  
 13038 house, to make out and transmit to the territorial secretary fair  
 13039 copies of the proceedings of the respective houses immediately  
 13040 after their respective sessions, which copies shall be dealt  
 13041 with by the said secretary as is now provided in the case of  
 13042 copies of the proceedings of the council mentioned in this act,  
 13043 and the said clerks shall each be entitled to the same per diem  
 13044 as members of the respective houses, and the presiding officers  
 13045 to double that sum.

13046 ARTICLE 9. Such sums of money as have, by virtue of  
 13047 treaties existing in the year eighteen hundred and sixty-one,  
 13048 been invested for the purposes of education, shall remain so in-  
 13049 vested, and the interest thereof shall be applied for the same  
 13050 purposes, in such manner as shall be designated by the legisla-  
 13051 tive authorities of the Choctaw and Chickasaw Nations, re-  
 13052 spectively.

13053 ARTICLE 10. The United States re-affirms all obligations  
 13054 arising out of treaty stipulations or acts of legislation with re-  
 13055 gard to the Choctaw and Chickasaw Nations, entered into prior  
 13056 to the late rebellion, and in force at that time, not inconsistent

13057 herewith; and further agrees to renew the payment of all annu-  
 13058 ities and others moneys accruing under such treaty stipulations  
 13059 and acts of legislation, from and after the close of the fiscal  
 13060 year ending on the thirtieth of June, in the year eighteen hun-  
 13061 dred and sixty-six.

13062       ARTICLE 11. Whereas the land occupied by the Choctaw and  
 13063 Chickasaw Nations, and described in the treaty between the  
 13064 United States and said nations, of June twenty-second,  
 13065 eighteen hundred and fifty-five, is now held by the members of  
 13066 said nations in common, under the provisions of the said treaty;  
 13067 and whereas it is believed that the holding of said land in sever-  
 13068 alty will promote the general civilization of said nations, and tend  
 13069 to advance their permanent welfare and the best interests of  
 13070 their individual members, it is hereby agreed that, should the  
 13071 Choctaw and Chickasaw people, through their respective legis-  
 13072 lative councils, agree to the survey and dividing their land  
 13073 on the system of the United States, the land aforesaid east of  
 13074 the ninety-eighth degree of west longitude shall be, in view of  
 13075 the arrangements hereinafter mentioned, surveyed and laid off  
 13076 in ranges, townships, sections, and parts of sections; and that  
 13077 for the purpose of facilitating such surveys and for the settle-  
 13078 ment and distribution of said land as hereinafter provided,  
 13079 there shall be established at Boggy Depot, in the Choctaw Ter-  
 13080 ritory, a land-office; and that, in making the said surveys and  
 13081 conducting the business of the said office, including the appoint-  
 13082 ment of all necessary agents and surveyors, the same system  
 13083 shall be pursued which has heretofore governed in respect to the  
 13084 public lands of the United States, it being understood that the  
 13085 said surveys shall be made at the cost of the United States and  
 13086 by their agents and surveyors, as in the case of their own pub-  
 13087 lic lands, and that the officers and employés shall receive the  
 13088 same compensation as is paid to officers and employés in the  
 13089 land-offices of the United States in Kansas.

13090       ARTICLE 12. The maps of said surveys shall exhibit, as  
 13091 far as practicable, the outlines of the actual occupancy of mem-  
 13092 bers of the said nations, respectively; and when they are com-  
 13093 pleted, shall be returned to the said land-office at Boggy Depot  
 13094 for inspection by all parties interested, when notice for ninety  
 13095 days shall be given of such return, in such manner as the legisla-  
 13096 tive authorities of the said nations, respectively, shall prescribe,  
 13097 or, in the event of said authorities failing to give such notice in  
 13098 a reasonable time, in such manner as the register of said land-  
 13099 office shall prescribe, calling upon all parties interested to ex-  
 13100 amine said maps to the end that errors, if any, in the location  
 13101 of such occupancies, may be corrected.

13102       ARTICLE 13. The notice required in the above article shall

13103 be given, not only in the Choctaw and Chickasaw Nations, but  
 13104 by publication in newspapers printed in the States of Mississippi  
 13105 and Tennessee, Louisiana, Texas, Arkansas, and Alabama, to  
 13106 the end that such Choctaws and Chickasaws as yet remain out-  
 13107 side of the Choctaw and Chickasaw Nations, may be informed  
 13108 and have opportunity to exercise the rights hereby given to  
 13109 resident Choctaws and Chickasaws: *Provided*, That before any  
 13110 such absent Choctaw or Chickasaw shall be permitted to select  
 13111 for him or herself, or others, as hereinafter provided, he or she  
 13112 shall satisfy the register of the land-office of his or her intention,  
 13113 or the intention of the party for whom the selection is to be  
 13114 made, to become bona-fide resident in the said nation within five  
 13115 years from the time of selection; and should the said absentee  
 13116 fail to remove into said nation, and occupy and commence an im-  
 13117 provement on the land selected within the time aforesaid, the  
 13118 said selection shall be cancelled, and the land shall thereafter be  
 13119 discharged from all claim on account thereof.

13120 ARTICLE 14 At the expiration of the ninety days aforesaid  
 13121 the legislative authorities of the said nations, respectively, shall  
 13122 have the right to select one quarter-section of land in each of the  
 13123 counties of said nations respectively, in trust for the establish-  
 13124 ment of seats of justice therein, and also as many quarter-sec-  
 13125 tions as the said legislative councils may deem proper for the  
 13126 permanent endowment of schools, seminaries, and colleges in said  
 13127 nation, provided such selection shall not embrace or interfere  
 13128 with any improvement in the actual occupation of any member  
 13129 of the particular nation without his consent; and provided the  
 13130 proceeds of sale of the quarter-sections selected for seats of jus-  
 13131 tice shall be appropriated for the erection or improvement of pub-  
 13132 lic buildings in the county in which it is located.

13133 ARTICLE 15. At the expiration of the ninety days' notice  
 13134 aforesaid, the selection which is to change the tenure of the land  
 13135 in the Choctaw and Chickasaw Nations from a holding in common  
 13136 to a holding in severalty shall take place, when every Choctaw  
 13137 and Chickasaw shall have the right to one quarter-section of  
 13138 land, whether male or female, adult or minor, and if in actual  
 13139 possession or occupancy of land improv'd or cultivated by him  
 13140 or her, shall have a prior right to the quarter-section in which  
 13141 his or her improvement lies; and every infant shall have selected  
 13142 for him or her a quarter-section of land in such location as the  
 13143 father of such infant, if there be a father living, and if no father  
 13144 living, then the mother or guardian, and should there be neither  
 13145 father, mother, nor guardian, then as the probate judge of the  
 13146 county, acting for the best interest of such infant, shall select.

13147 ARTICLE 16. Should an actual occupant of land desire, at  
 13148 any time prior to the commencement of the surveys aforesaid,

13149 to abandon his improvement, and select and improve other  
 13150 land, so as to obtain the prior right of selection thereof, he or  
 13151 she shall be at liberty to do so; in which event the improve-  
 13152 ment so abandoned shall be open to selection by other parties:  
 13153 *Provided*, That nothing herein contained shall authorize the  
 13154 multiplication of improvements so as to increase the quantity of  
 13155 land beyond what a party would be entitled to at the date of  
 13156 this treaty.

13157       ARTICLE 17. No selection to be made under this treaty shall  
 13158 be permitted to deprive or interfere with the continued occupa-  
 13159 tion by the missionaries established in the respective nations of  
 13160 their several missionary establishments; it being the wish of  
 13161 the parties hereto to promote and foster an influence so largely  
 13162 conducive to civilization and refinement. Should any mission-  
 13163 ary who has been engaged in missionary labor for five consecu-  
 13164 tive years before the date of this treaty in the said nations, or  
 13165 either of them, or three consecutive years prior to the late re-  
 13166 bellion, and who, if absent from the said nations, may desire to  
 13167 return, wish to select a quarter-section of land with a view to a  
 13168 permanent home for himself and family, he shall have the priv-  
 13169 ilege of doing so, provided no selection shall include any public  
 13170 buildings, schools or seminary; and a quantity of land not ex-  
 13171 ceeding six hundred and forty acres to be selected according to  
 13172 legal subdivisions in one body, and to include their improve-  
 13173 ments, is hereby granted to every religious society or denomi-  
 13174 nation which has erected, or which, with the consent of the In-  
 13175 dians, may hereafter erect buildings within the Choctaw and  
 13176 Chickasaw country for missionary or educational purposes; but  
 13177 no land thus granted, nor the buildings which have been or may  
 13178 be erected thereon, shall ever be sold or otherwise disposed of,  
 13179 except with the consent of the legislatures of said nations re-  
 13180 spectively and approval of the Secretary of the Interior; and  
 13181 whenever such lands or buildings shall be sold or disposed of  
 13182 the proceeds thereof shall be applied, under the direction of the  
 13183 Secretary of the Interior, to the support and maintenance of  
 13184 other similar establishments for the benefit of the Choctaws and  
 13185 Chickasaws, and such other persons as may hereafter become  
 13186 members of their nations, according to their laws, customs, and  
 13187 usages.

13188       ARTICLE 18. In making a selection for children the parent  
 13189 shall have a prior right to select land adjacent to his own im-  
 13190 provements or selection, provided such selection shall be made  
 13191 within thirty days from the time at which selections under this  
 13192 treaty commence.

13193       ARTICLE 19. The manner of selecting as aforesaid shall be  
 13194 by an entry with the register of the land-office, and all selec-

13195 tions shall be made to conform to the legal subdivisions of the  
 13196 said lands as shown by the surveys aforesaid on the maps afore-  
 13197 said; it being understood that nothing herein contained is to be  
 13198 construed to confine a party selecting to one section, but he may  
 13199 take contiguous parts of sections by legal subdivisions in differ-  
 13200 ent sections, not exceeding together a quarter-section.

13201 ARTICLE 20. Prior to any entries being made under the  
 13202 foregoing provisions, proof of improvements, or actual cultiva-  
 13203 tion, as well as the number of persons for whom a parent or  
 13204 guardian, or probate judge of the county proposes to select, and  
 13205 of their right to select, and of his or her authority to select, for  
 13206 them, shall be made to the register and receiver of the land-  
 13207 office, under regulations to be prescribed by the Secretary of the  
 13208 Interior.

13209 ARTICLE 21. In every township the sections of land numbered  
 13210 sixteen and thirty-six shall be reserved for the support of schools  
 13211 in said township: *Provided*, That if the same has been already  
 13212 occupied by a party or parties having the right to select it, or it  
 13213 shall be so sterile as to be unavailable, the legislative authori-  
 13214 ties of the particular nations shall have the right to select such  
 13215 other unoccupied sections as they may think proper.

13216 ARTICLE 22. The right of selection hereby given shall not  
 13217 authorize the selection of any land required by the United  
 13218 States as a military post, or Indian agency, not exceeding one  
 13219 mile square, which, when abandoned, shall revert to the nation  
 13220 in which the land lies.

13221 ARTICLE 23. The register of the land-office shall inscribe in  
 13222 a suitable book or books, in alphabetical order, the name of every  
 13223 individual for whom a selection shall be made, his or her age,  
 13224 and a description of the land selected.

13225 ARTICLE 24. Whereas it may be difficult to give to each  
 13226 occupant of an improvement a quarter-section of land, or even  
 13227 a smaller subdivision, which shall include such improvement, in  
 13228 consequence of such improvements lying in towns, villages, or  
 13229 hamlets, the legislative authorities of the respective nations  
 13230 shall have power, where, in their discretion, they think it expe-  
 13231 dient, to lay off into town lots any section or part of a section  
 13232 so occupied, to which lots the actual occupants, being citizens  
 13233 of the respective nations, shall have pre-emptive right, and, upon  
 13234 paying into the treasury of the particular nation the price of the  
 13235 land, as fixed by the respective legislatures, exclusive of the  
 13236 value of said improvement, shall receive a conveyance thereof.  
 13237 Such occupant shall not be prejudiced thereby in his right to  
 13238 his selection elsewhere. The town lots which may be unoccu-  
 13239 pied shall be disposed of for the benefit of the particular nation,  
 13240 as the legislative authorities may direct from time to time.

When the number of occupants of the same quarter-section shall not be such as to authorize the legislative authorities to lay out the same, or any part thereof, into town lots, they may make such regulations for the disposition thereof as they may deem proper, either by subdivision of the same, so as to accommodate the actual occupants, or by giving the right of prior choice to the first occupant in point of time, upon paying the others for their improvements, to be valued in such way as the legislative authorities shall prescribe, or otherwise. All occupants retaining their lots under this section, and desiring, in addition, to make a selection, must pay for the lots so retained, as in the case of town lots. And any Choctaw or Chickasaw who may desire to select a sectional division other than that on which his homestead is, without abandoning the latter, shall have the right to purchase the homestead sectional division at such price as the respective legislatures may prescribe.

ARTICLE 25. During ninety days from the expiration of the ninety days' notice aforesaid, the Choctaws and Chickasaws shall have the exclusive right to make selections, as aforesaid, and at the end of that time the several parties shall be entitled to patents for their respective selections, to be issued by the President of the United States, and countersigned by the chief executive officer of the nation in which the land lies, and recorded in the records of the executive office of the particular nation; and copies of the said patents, under seal, shall be evidence in any court of law or equity.

ARTICLE 26. The right here given to Choctaws and Chickasaws, respectively, shall extend to all persons who have become citizens by adoption or intermarriage of either of said nations, or who may hereafter become such.

ARTICLE 27. In the event of disputes arising in regard to the rights of parties to select particular quarter-sections or other divisions of said land, or in regard to the adjustment of boundaries, so as to make them conform to legal divisions and subdivisions, such disputes shall be settled by the register of the land-office and the chief executive officer of the nation in which the land lies, in a summary way, after hearing the parties; and if said register and chief officer cannot agree, the two to call in a third party, who shall constitute a third referee, the decision of any two of whom shall be final, without appeal.

ARTICLE 28. Nothing contained in any law of either of the said nations shall prevent parties entitled to make selections contiguous to each other; and the Choctaw and Chickasaw Nations hereby agree to repeal all laws inconsistent with this provision.

ARTICLE 29. Selections made under this treaty shall, to

13287 the extent of one quarter-section, including the homestead or  
 13288 dwelling, be inalienable for the period of twenty-one years from  
 13289 the date of such selection, and upon the death of the party in  
 13290 possession shall descend according to the laws of the nation  
 13291 where the land lies; and in the event of his or her death with-  
 13292 out heirs, the said quarter-section shall escheat to and become  
 13293 the property of the nation.

13294 ARTICLE 30. The Choctaw and Chickasaw Nations will  
 13295 receive into their respective districts, east of the ninety-eighth  
 13296 degree of west longitude, in the proportion of one-fourth in the  
 13297 Chickasaw and three-fourths in the Choctaw Nation, civilized  
 13298 Indians from the tribes known by the general name of the Kan-  
 13299 sas Indians, being Indians to the north of the Indian Territory,  
 13300 not exceeding ten thousand in number, who shall have in the  
 13301 Choctaw and Chickasaw Nations, respectively, the same rights  
 13302 as the Choctaws and Chickasaws, of whom they shall be the  
 13303 fellow-citizens, governed by the same laws and enjoying the  
 13304 same privileges, with the exception of the right to participate  
 13305 in the Choctaw and Chickasaw annuities and other moneys, and  
 13306 in the public domain, should the same, or the proceeds thereof,  
 13307 be divided per capita among said Choctaws and Chickasaws, and  
 13308 among others the right to select land as herein provided for  
 13309 Choctaws and Chickasaws, after the expiration of the ninety  
 13310 days during which the selections of land are to be made, as  
 13311 aforesaid, by said Choctaws and Chickasaws; and the Choctaw  
 13312 and Chickasaw Nations pledge themselves to treat the said  
 13313 Kansas Indians in all respects with kindness and forbearance,  
 13314 aiding them in good faith to establish themselves in their new  
 13315 homes, and to respect all their customs and usages not incon-  
 13316 sistent with the constitution and laws of the Choctaw and Chick-  
 13317 asaw Nations respectively. In making selections after the ad-  
 13318 vent of the Indians and the actual occupancy of land in said  
 13319 nation, such occupancy shall have the same effect in their behalf  
 13320 as the occupancies of Choctaws and Chickasaws; and after the  
 13321 said Choctaws and Chickasaws have made their selections as  
 13322 aforesaid, the said persons of African descent mentioned in the  
 13323 third article of the treaty shall make their selections as therein  
 13324 provided, in the event of the making of the laws, rules, and  
 13325 regulations aforesaid, after the expiration of ninety days from  
 13326 the date at which the Kansas Indians are to make their selec-  
 13327 tions as therein provided, and the actual occupancy of such  
 13328 persons of African descent shall have the same effect in their  
 13329 behalf as the occupancies of the Choctaws and Chickasaws.

13330 ARTICLE 31. And whereas some time must necessarily  
 13331 elapse before the surveys, maps, and selections herein provided  
 13332 for can be completed so as to permit the said Kansas Indians to

13333 make their selections in their order, during which time the  
 13334 United States may desire to remove the said Indians from their  
 13335 present abiding places, it is hereby agreed that the said Indians  
 13336 may at once come into the Choctaw and Chickasaw Nations,  
 13337 settling themselves temporarily as citizens of the said nations,  
 13338 respectively, upon such land as suits them and is not already  
 13339 occupied.

13340 ARTICLE 32. At the expiration of two years, or sooner, if  
 13341 the President of the United States shall so direct, from the com-  
 13342 pletion of the surveys and maps aforesaid, the officers of the  
 13343 land-offices aforesaid shall deliver to the executive departments  
 13344 of the Choctaw and Chickasaw Nations, respectively, all such  
 13345 documents as may be necessary to elucidate the land-title as  
 13346 settled according to this treaty, and forward copies thereof, with  
 13347 the field-notes, records, and other papers pertaining to said  
 13348 titles, to the Commissioner of the General Land-Office; and there-  
 13349 after grants of land and patents therefor shall be issued in such  
 13350 manner as the legislative authorities of said nations may pro-  
 13351 vide for all the unselected portions of the Choctaw and Chickasaw  
 13352 districts as defined by the treaty of June twenty-second, eighteen  
 13353 hundred and fifty-five.

13354 ARTICLE 33. All lands selected as herein provided shall  
 13355 thereafter be held in severalty by the respective parties, and the  
 13356 unselected land shall be the common property of the Choctaw  
 13357 and Chickasaw Nations, in their corporate capacities, subject to  
 13358 the joint control of their legislative authorities.

13359 ARTICLE 34. Should any Choctaw or Chickasaw be pre-  
 13360 vented from selecting for him or herself during the *the* ninety  
 13361 days aforesaid, the failure to do so shall not authorize another  
 13362 to select the quarter-section containing his improvement, but he  
 13363 may at any time make his selection thereof, subject to having  
 13364 his boundaries made to conform to legal divisions as aforesaid.

13365 ARTICLE 35. Should the selections aforesaid not be made  
 13366 before the transfer of the land records to the executive authori-  
 13367 ties of said nations, respectively, they shall be made according  
 13368 to such regulations as the legislative authorities of the two  
 13369 nations, respectively, may prescribe, to the end that full justice  
 13370 and equity may be done to the citizens of the respective territo-  
 13371 ries.

13372 ARTICLE 36. Should any land that has been selected under  
 13373 the provisions of this treaty be abandoned and left uncultivated  
 13374 for the space of seven years by the party selecting the same,  
 13375 or his heirs, except in the case of infants under the age of  
 13376 twenty-one years, or married women, or persons non compos  
 13377 mentis, the legislative authorities of the nation where such land  
 13378 lies may either rent the same for the benefit of those interested,

13379 or dispose of the same otherwise for their benefit, and may pass  
13380 all laws necessary to give effect to this provision.

13381 ARTICLE 37. In consideration of the right of selection here-  
13382 inbefore accorded to certain Indians other than the Choctaws  
13383 and Chickasaws, the United States agree to pay to the Choctaw  
13384 and Chickasaw Nations, out of the funds of Indians removing  
13385 into said nations respectively, under the provisions of this treaty,  
13386 such sum as may be fixed by the legislatures of said nations,  
13387 not exceeding one dollar per acre, to be divided between the said  
13388 nations in the proportion of one-fourth to the Chickasaw Nation  
13389 and three-fourths to the Choctaw Nation, with the understand-  
13390 ing that at the expiration of twelve months the actual number  
13391 of said immigrating Indians shall be ascertained, and the amount  
13392 paid that may be actually due at the rate aforesaid; and should  
13393 still further immigrations take place from among said Kansas  
13394 Indians, still further payments shall be made accordingly from  
13395 time to time.

13396 ARTICLE 38. Every white person who, having married a  
13397 Choctaw or Chickasaw, resides in the said Choctaw or Chicka-  
13398 saw Nation, or who has been adopted by the legislative author-  
13399 ities, is to be deemed a member of said nation, and shall be  
13400 subject to the laws of the Choctaw and Chickasaw Nations  
13401 according to his domicile, and to prosecution and trial before  
13402 their tribunals, and to punishment according to their laws in all  
13403 respects as though he was a native Choctaw or Chickasaw.

13404 ARTICLE 39. No person shall expose goods or other articles  
13405 for sale as a trader without a permit of the legislative authorities  
13406 of the nation he may propose to trade in; but no license shall be  
13407 required to authorize any member of the Choctaw or Chickasaw  
13408 Nations to trade in the Choctaw or Chickasaw country who is  
13409 authorized by the proper authority of the nation, nor to authorize  
13410 Choctaws or Chickasaws to sell flour, meal, meat, fruit, and  
13411 other provisions, stock, wagons, agricultural implements, or tools  
13412 brought from the United States into the said country.

13413 ARTICLE 40. All restrictions contained in any treaty here-  
13414 tofore made, or in any regulation of the United States upon the  
13415 sale or other disposition of personal chattel property by Choc-  
13416 taws or Chickasaws are hereby removed.

13417 ARTICLE 41. All persons who are members of the Choctaw  
13418 or Chickasaw Nations, and are not otherwise disqualified or dis-  
13419 abled, shall hereafter be competent witnesses in all civil and  
13420 criminal suits and proceedings in any courts of the United  
13421 States, any law to the contrary notwithstanding.

13422 ARTICLE 42. The Choctaw and Chickasaw Nations shall  
13423 deliver up persons accused of crimes against the United States  
13424 who may be found within their respective limits, on the requisi-

13425 tion of the governor of any State, for a crime committed against  
 13426 the laws of said State, and upon the requisition of the judge of  
 13427 the district court of the United States for the district within  
 13428 which the crime was committed.

13429 ARTICLE 43. The United States promise and agree that no  
 13430 white person, except officers, agents, and employés of the Gov-  
 13431 ernment, and of any internal improvement company, or persons  
 13432 travelling through, or temporarily sojourning in, the said nations,  
 13433 or either of them, shall be permitted to go into said Territory,  
 13434 unless formally incorporated and naturalized by the joint action  
 13435 of the authorities of both nations into one of the said nations  
 13436 of Choctaws and Chickasaws, according to their laws, customs,  
 13437 or usages; but this article is not to be construed to affect parties  
 13438 heretofore adopted, or to prevent the employment temporarily  
 13439 of white persons who are teachers, mechanics, or skilled in agri-  
 13440 culture, or to prevent the legislative authorities of the respective  
 13441 nations from authorizing such works of internal improvement  
 13442 as they may deem essential to the welfare and prosperity of the  
 13443 community, or be taken to interfere with or invalidate any action  
 13444 which has heretofore been had in this connection by either of  
 13445 the said nations.

13446 ARTICLE 44. Post-offices shall be established and main-  
 13447 tained by the United States at convenient places in the Choctaw  
 13448 and Chickasaw Nations, to and from which the mails shall be  
 13449 carried at reasonable intervals, at the rates of postage prevail-  
 13450 ing in the United States.

13451 ARTICLE 45. All the rights, privileges, and immunities  
 13452 heretofore possessed by said nations or individuals thereof, or to  
 13453 which they were entitled under the treaties and legislation here-  
 13454 tofore made and had in connection with them, shall be, and are  
 13455 hereby declared to be, in full force, so far as they are consistent  
 13456 with the provisions of this treaty.

13457 ARTICLE 46. Of the moneys stipulated to be paid to the  
 13458 Choctaws and Chickasaws under this treaty for the cession of  
 13459 the leased district, and the admission of the Kansas Indians  
 13460 among them, the sum of one hundred and fifty thousand dollars  
 13461 shall be advanced and paid to the Choctaws, and fifty thousand  
 13462 dollars to the Chickasaws, through their respective treasurers,  
 13463 as soon as practicable after the ratification of this treaty, to be  
 13464 repaid out of said moneys or any other moneys of said nations  
 13465 in the hands of the United States; the residue, not affected by  
 13466 any provision of this treaty, to remain in the Treasury of the  
 13467 United States at an annual interest of five per cent., no part of  
 13468 which shall be paid out as annuity, but shall be annually paid  
 13469 to the treasurer of said nations, respectively, to be regularly and  
 13470 judiciously applied, under the direction of their respective legis-

13471 lative councils, to the support of their government, the purposes  
 13472 of education, and such other objects as may be best calculated  
 13473 to promote and advance the welfare and happiness of said na-  
 13474 tions and their people respectively.

13475 ARTICLE 47. As soon as practicable after the lands shall  
 13476 have been surveyed and assigned to the Choctaws and Chicka-  
 13477 saws in severalty, as herein provided, upon application of their  
 13478 respective legislative councils, and with the assent of the Pres-  
 13479 ident of the United States, all the annuities and funds invested  
 13480 and held in trust by the United States for the benefit of said  
 13481 nations respectively shall be capitalized or converted into money,  
 13482 as the case may be; and the aggregate amounts thereof belong-  
 13483 ing to each nation shall be equally divided and paid per capita  
 13484 to the individuals thereof respectively, to aid and assist them  
 13485 in improving their homesteads and increasing or acquiring flocks  
 13486 and herds, and thus encourage them to make proper efforts to  
 13487 maintain successfully the new relations which the holding of  
 13488 their lands in severalty will involve: *Provided, nevertheless,* That  
 13489 there shall be retained by the United States such sum as the  
 13490 President shall deem sufficient of the said moneys to be invested,  
 13491 that the interest thereon may be sufficient to defray the ex-  
 13492 penses of the government of said nations respectively, together  
 13493 with a judicious system of education, until these objects can be  
 13494 provided for by a proper system of taxation; and whenever  
 13495 this shall be done to the satisfaction of the President of the  
 13496 United States, the moneys so retained shall be divided in the  
 13497 manner and for the purpose above mentioned.

13498 ARTICLE 48. Immediately after the ratification of this treaty  
 13499 there shall be paid, out of the funds of the Choctaws and Chick-  
 13500 asaws in the hands of the United States, twenty-five thousand dol-  
 13501 lars to the Choctaw and twenty-five thousand dollars to the Chick-  
 13502 asaw commissioners, to enable them to discharge obligations in-  
 13503 curred by them for various incidental and other expenses to which  
 13504 they have been subjected, and for which they are now indebted.

13505 ARTICLE 49. And it is further agreed that a commission,  
 13506 to consist of a person or persons to be appointed by the Presi-  
 13507 dent of the United States, not exceeding three, shall be ap-  
 13508 pointed immediately on the ratification of this treaty, who shall  
 13509 take into consideration and determine the claim of such Choc-  
 13510 taws and Chickasaws as allege that they have been driven during  
 13511 the late rebellion from their homes in the Choctaw [and Chick-  
 13512 asaw] Nations on account of their adhesion to the United States,  
 13513 for damages, with power to make such award as may be con-  
 13514 sistent with equity and good conscience, taking into view all  
 13515 circumstances, whose report, when ratified by the Secretary of  
 13516 the Interior, shall be final, and authorize the payment of the

13517 amount from any moneys of said nations in the hands of the  
13518 United States as the said commission may award.

13519       ARTICLE 50. Whereas Joseph G. Heald and Reuben Wright,  
13520 of Massachusetts, were licensed traders in the Choctaw country  
13521 at the commencement of the rebellion, and claim to have sus-  
13522 tained large losses on account of said rebellion, by the use of  
13523 their property by said nation, and that large sums of money  
13524 are due them for goods and property taken, or sold to the mem-  
13525 bers of said nation, and money advanced to said nation; and  
13526 whereas other loyal citizens of the United States may have  
13527 just claims of the same character: It is hereby agreed and stip-  
13528 ulated that the commission provided for in the preceding arti-  
13529 cle shall investigate said claims, and fully examine the same;  
13530 and such sum or sums of money as shall by the report of said  
13531 commission, approved by the Secretary of the Interior, be found  
13532 due to such persons, not exceeding ninety thousand dollars,  
13533 shall be paid by the United States to the persons entitled  
13534 thereto, out of any money belonging to said nation in the pos-  
13535 session of the United States: *Provided*, That no claim for goods  
13536 or property of any kind shall be allowed or paid, in whole or  
13537 part, which shall have been used by said nation or any member  
13538 thereof in aid of the rebellion, with the consent of said claim-  
13539 ants: *Provided also*, That if the aggregate of said claims thus  
13540 allowed and approved shall exceed said sum of ninety thousand  
13541 dollars, then that sum shall be applied pro rata in payment of the  
13542 claims so allowed.

13543       ARTICLE 51. It is further agreed that all treaties and  
13544 parts of treaties inconsistent herewith be, and the same are  
13545 hereby, declared null and void.

13546       Proclaimed July 10, 1866.

#### 13517                   COMANCHES AND WICHETAWS.

13548       *Treaty with the Comanche and Wichetaw Indians and their asso-*  
13549                   *ciated bands.*

13550       For the purpose of establishing and perpetuating peace and  
13551 friendship between the United States of America and the Co-  
13552 manche and Wichetaw Nations, and their associated bands or  
13553 tribes of Indians, and between these nations or tribes and the  
13554 Cherokee, Muscogee, Choctaw, Osage, Seneca, and Quapaw  
13555 Nations or tribes of Indians, the President of the United States  
13556 has, to accomplish this desirable object, and to aid therein, ap-  
13557 pointed Governor M. Stokes, M. Arbuckle, brigdi-genl. United  
13558 States Army, and F. W. Armstrong, acting superintendent

13559 Western Territory, commissioners on the part of the United  
 13560 States; and the said Governor M. Stokes, and M. Arbuckle,  
 13561 brigdi.-genl. United States Army, with the chiefs and repre-  
 13562 sentatives of the Cherokee, Muscogee, Choctaw, Osage, Seneca,  
 13563 and Quapaw Nations or tribes of Indians, have met the chiefs,  
 13564 warriors, and representatives of the tribes first above named at  
 13565 Camp Holmes, on the eastern border of the Grand Prairie, near  
 13566 the Canadian River, in the Muscogee Nation, and, after full deliberation,  
 13567 the said nations or tribes have agreed with the United  
 13568 States, and with one another, upon the following articles :

13569       ARTICLE 1. There shall be perpetual peace and friendship  
 13570 between all the citizens of the United States of America and  
 13571 all the individuals composing the Comanche and Witchetaw  
 13572 Nations and their associated bands or tribes of Indians, and between  
 13573 these nations or tribes and the Cherokee, Muscogee, Choctaw,  
 13574 Osage, Seneca, and Quapaw Nations or tribes of Indians.

13575       ARTICLE 2. Every injury or act of hostility by one or either  
 13576 of the contracting parties on the other, shall be mutually forgiven  
 13577 and forever forgot.

13578       ARTICLE 3. There shall be a free and friendly intercourse between  
 13579 all the contracting parties hereto, and it is distinctly understood  
 13580 and agreed by the Comanche and Witchetaw Nations and their  
 13581 associated bands or tribes of Indians, that the citizens of the United  
 13582 States are freely permitted to pass and repass through their settle-  
 13583 ments or hunting-ground without molestation or injury on their way  
 13584 to any of the provinces of the republic of Mexico, or returning therefrom,  
 13585 and that each of the nations or tribes named in this article further  
 13586 agree to pay the full value for any injury their people may do to the  
 13587 goods or property of the citizens of the United States taken or destroyed,  
 13588 when peaceably passing through the country they inhabit, or hunt in,  
 13589 or elsewhere. And the United States hereby guaranty to any Indian  
 13590 or Indians of either of the said Comanche or Witchetaw Nations,  
 13591 and their associated bands or tribes of Indians, a full indemnification  
 13592 for any horses or other property which may be stolen from them :  
 13593 *Provided*, That the property so stolen cannot be recovered,  
 13594 and that sufficient proof is produced that it was actually stolen  
 13595 by a citizen of the United States, and within the limits thereof.

13598       ARTICLE 4. It is understood and agreed by all the nations  
 13599 or tribes of Indians parties to this treaty, that each and all of  
 13600 the said nations or tribes have free permission to hunt and trap  
 13601 in the Great Prairie west of the Cross Timber, to the western  
 13602 limits of the United States.

13603       ARTICLE 5. The Comanche and Witchetaw Nations and their  
 13604 associated bands or tribes of Indians, severally agree and bind

13605 themselves to pay full value for any injury their people may do  
 13606 to the goods or other property of such traders as the President  
 13607 of the United States may place near to their settlements or hunt-  
 13608 ing-ground for the purpose of trading with them.

13609 ARTICLE 6. The Comanche and Witchetaw Nations and  
 13610 their associated bands or tribes of Indians agree that, in the  
 13611 event any of the red people belonging to the nations or tribes  
 13612 residing south of the Missouri River and west of the State of  
 13613 Missouri, not parties to this treaty, should visit their towns or  
 13614 be found on their hunting-ground, that they will treat them with  
 13615 kindness and friendship and do no injury to them in any way  
 13616 whatever.

13617 ARTICLE 7. Should any difficulty hereafter unfortunately  
 13618 arise between any of the nations or tribes of Indians parties here-  
 13619 unto, in consequence of murder, the stealing of horses, cattle, or  
 13620 other cause, it is agreed that the other tribes shall interpose their  
 13621 good offices to remove such difficulties, and also that the Govern-  
 13622 ment of the United States may take such measures as they may  
 13623 deem proper to effect the same object, and see that full justice is  
 13624 done to the injured party.

13625 ARTICLE 8. It is agreed by the commissioners of the United  
 13626 States, that in consequence of the Comanche and Witchetaw  
 13627 Nations and their associated bands or tribes of Indians having  
 13628 freely and willingly entered into this treaty, and it being the  
 13629 first they have made with the United States or any of the con-  
 13630 tracting parties, that they shall receive presents immediately  
 13631 after signing, as a donation from the United States; nothing  
 13632 being asked from these nations or tribes in return, except to  
 13633 remain at peace with the parties hereto, which their own good  
 13634 and that of their posterity require.

13635 ARTICLE 9. The Comanche and Witchetaw Nations and  
 13636 their associated bands or tribes of Indians agree, that their en-  
 13637 tering into this treaty shall in no respect interrupt their friendly  
 13638 relations with the republic of Mexico, where they all frequently  
 13639 hunt and the Comanche Nation principally inhabit; and it is  
 13640 distinctly understood that the Government of the United States  
 13641 desire that perfect peace shall exist between the nations or  
 13642 tribes named in this article and the said republic.

13643 ARTICLE 10. This treaty shall be obligatory on the nations  
 13644 or tribes parties hereto from and after the date hereof, and on  
 13645 the United States from and after its ratification by the Govern-  
 13646 ment thereof.

13647 Proclaimed May 19, 1836.

## 13648 COMANCHES, IONIS, ANADACAS, CADOES, &amp;c.

13649 *Treaty with the Comanches and other tribes. Articles of a treaty*  
 13650 *made and concluded at Council Springs, in the county of Rob-*  
 13651 *inson, Texas, near the Brazos River, this 15th day of May,*  
 13652 *A. D. 1846, between P. M. Butler and M. G. Lewis, commis-*  
 13653 *sioners on the part of the United States, of the one part, and*  
 13654 *the undersigned chiefs, counsellors, and warriors of the*  
 13655 *Comanche, I-on-i, Ana-da-ca, Cadoe, Lapan, Long-icha, Keechy,*  
 13656 *Tah-wa-carro. Wi-chita, and Wacoe tribes of Indians, and*  
 13657 *their associate bands, in behalf of their said tribes, on the*  
 13658 *other part.*

13659 ARTICLE 1. The undersigned chiefs, warriors, and counsel-  
 13660 lers, for themselves and their said tribes or nations, do hereby  
 13661 acknowledge themselves to be under the protection of the United  
 13662 States, and of no other power, state, or sovereignty whatever.

13663 ARTICLE 2. It is stipulated and agreed by the said tribes or  
 13664 nations, and their associate bands, that the United States shall  
 13665 have the sole and exclusive right of regulating trade and inter-  
 13666 course with them, and they do hereby respectively engage to af-  
 13667 ford protection to such persons, with their property, as shall be  
 13668 duly licensed to reside among them for the purpose of trade and  
 13669 intercourse, and to their agents and servants, but no person shall  
 13670 be permitted to reside among them as a trader who is not  
 13671 furnished with a license for that purpose, under the hand and  
 13672 seal of the superintendent to be appointed by the President of  
 13673 the United States or such other person as the President shall au-  
 13674 thorize to grant such licenses, to the end that said Indians may  
 13675 not be imposed on in their trade; and if any licensed trader  
 13676 shall abuse his privilege by unfair dealing, upon complaint by  
 13677 the chiefs to their agents and proof thereof, his license shall be  
 13678 taken from him, and he shall be further punished according to  
 13679 the laws of the United States; and if any person shall intrude  
 13680 himself as a trader without such license, upon complaint he shall  
 13681 be dealt with according to law.

13682 ARTICLE 3. Stricken out.

13683 ARTICLE 4. The said tribes and their associate bands agree  
 13684 to deliver, by the first day of November next, to the superintend-  
 13685 ent of Indian affairs to be appointed by the President, at such  
 13686 place as he may direct, due notice of which shall be given to the  
 13687 said tribes, all white persons and negroes who are now prisoners  
 13688 among any of the said tribes or nations, for which the United  
 13689 States agree to make to them a fair compensation; and the  
 13690 United States further agree to make [that] all the prisoners taken

from said tribes by Texas or the United States, shall be delivered up to the said tribes, at the same time and place, without charge. And when any member of any of said tribes or nations, and their associate bands, having in his possession an American prisoner or prisoners, white or black, shall refuse to give them up, the President of the United States shall have the privilege of sending among said tribes or nations such force as he may think necessary to take them; and the chiefs of the nations or tribes, parties to this treaty, pledge themselves to give protection and assistance to such persons as may be sent among them for this purpose.

ARTICLE 5. Stricken out.

ARTICLE 6. The said tribes and their associate bands pledge themselves to give notice to the agent of the United States residing near them of any designs which they may know or suspect to [be] formed in any neighboring tribe, or by any person whatever, against the peace and interests of the United States.

ARTICLE 7. It is agreed that, if any Indian or Indians shall commit a murder or robbery on any citizen of the United States, the tribe or nation to which the offender belongs shall deliver up the person or persons so complained of, on complaint being made to their chief, to the nearest post of the United States, to the end that he or they may be tried, and if found guilty, punished, according to the law of the State or Territory where such offence may have been committed. In like manner, if any subject or citizen of the United States shall commit murder or robbery on any Indian or Indians of the said tribes or nations, upon complaint thereof to the agent residing near them, he or they shall be arrested, tried, and punished according to the law of the State or Territory where such offence may have been committed.

ARTICLE 8. The practice of stealing horses has prevailed very much to the great disquiet of the citizens of the United States, and, if persisted in, cannot fail to involve both the United States and the Indians in endless strife. It is therefore agreed that it shall be put an entire stop to on both sides. Nevertheless, should bad men, in defiance of this agreement, continue to make depredations of that nature, the person convicted thereof shall be punished with the utmost severity, according to the laws of the State or Territory where the offence may have been committed; and all horses so stolen, either by the Indians from the citizens of the United States or by the citizens of the United States from any of the said tribes or nations, into whose possession soever they may have passed, upon due proof of rightful ownership, shall be restored; and the chiefs of said tribes or

13737 nations shall give all necessary aid and protection to citizens of  
 13738 the United States in reclaiming and recovering such stolen  
 13739 horses; and the civil magistrates of the United States, respect-  
 13740 ively, shall give all necessary aid and protection to Indians in  
 13741 claiming and recovering such stolen horses.

13742 ARTICLE 9. For the protection of said Indians and for the  
 13743 purpose of carrying out the stipulations of this treaty more  
 13744 effectually, the President shall, at his discretion, locate upon  
 13745 their borders trading-houses, agencies, and posts. In considera-  
 13746 tion of the friendly disposition of said tribes, evidenced by the  
 13747 stipulations in the present treaty, the commissioners of the  
 13748 United States, in behalf of the said States, agree to give to the  
 13749 said tribes or nations goods, as presents, at this time, and agree  
 13750 to give presents in goods to them, to the amount of ten thousand  
 13751 dollars, at such time as the President of the United States may  
 13752 think proper, (a) at the Council Springs, on the Brazos, where  
 13753 this council is now held, or at some other point to be designated,  
 13754 and of which due notice shall be given to said tribes.

13755 ARTICLE 10. The said tribes or nations and their associate  
 13756 bands are now, and forever agree to remain, at peace with the  
 13757 United States. All animosities for past offences are hereby  
 13758 mutually forgiven and forgotten, and the parties to this treaty  
 13759 pledge themselves to carry it into full execution, in good faith  
 13760 and sincerity.

13761 ARTICLE 11. And the said tribes and their associate bands  
 13762 are now, and agree to remain, friendly with such tribes as are  
 13763 now at peace with the United States, residing upon the waters  
 13764 of the Arkansas, Missouri, and Red Rivers.

13765 ARTICLE 12. If any person or persons shall introduce ardent  
 13766 spirits or intoxicating liquors of any kind among said tribes or  
 13767 nations, such person or *person* [persons] shall be punished ac-  
 13768 cording to the laws of the United States, and the said tribes or  
 13769 nations agree to give immediate notice to the agent of the  
 13770 United States residing near them, and to prevent by any means  
 13771 in their power the violation of this article of treaty.

13772 ARTICLE 13. It is further agreed that blacksmiths shall be  
 13773 sent to reside among the said tribes or nations, to keep their  
 13774 guns and farming-utensils in order, as long and in such manner  
 13775 as the President may think proper. It is further agreed that  
 13776 school-teachers, at the discretion of the President, shall be sent  
 13777 among the said tribes or nations for the purpose of instructing  
 13778 them; and the said tribes or nations agree that preachers of the  
 13779 gospel may travel or reside among them by permission of the  
 13780 President or his agents to be appointed, and that ample protec-  
 13781 tion shall be afforded them in the discharge of their duties.

13782 ARTICLE 14. The said tribes or nations, parties to this treaty,

13783 are anxious to be at peace with all other tribes or nations, and  
 13784 it is agreed that the President shall use his exertions, in such  
 13785 manner as he may think proper, to preserve friendly relations  
 13786 between the different tribes or nations parties to this treaty,  
 13787 and all other tribes of Indians under his jurisdiction.

13788 Proclaimed March 8, 1847.

13789 COMANCHES, KIWAS, AND APACHES.

13790 *Franklin Pierce, President of the United States of America, to all*  
 13791 *and singular to whom these presents shall come, greeting :*

13792 Whereas a treaty was made and concluded at Fort Atkin-  
 13793 son, on the twenty-seventh day of July, A. D. one thousand  
 13794 eight hundred and fifty-three, between the United States of  
 13795 America, by Thomas Fitzpatrick, Indian agent, and sole com-  
 13796 missioner duly appointed for that purpose, and the chiefs and  
 13797 head-men of the Camanche, Kiowa, and Apache tribes or nations  
 13798 of Indians, which treaty is in the words following, to wit :

13799 Articles of a treaty, made and concluded at Fort Atkinson, in  
 13800 the Indian Territory, of the United States of America, on  
 13801 the 27th day of July, anno Domini eighteen hundred and  
 13802 fifty-three, between the United States of America, by  
 13803 Thomas Fitzpatrick, Indian agent, and sole commissioner,  
 13804 duly appointed for that purpose, and the Camanche, and  
 13805 Kiowa, and Apache tribes or nations of Indians, inhabiting  
 13806 the said Territory south of the Arkansas River.

13807 ARTICLE 1. Peace, friendship, and amity shall hereafter  
 13808 exist between the United States and the Camanche, and Kiowa,  
 13809 and Apache tribes of Indians, parties to this treaty, and the  
 13810 same shall be perpetual.

13811 ARTICLE 2. The Camanche, Kiowa, and Apache tribes of  
 13812 Indians do hereby jointly and severally covenant that peaceful  
 13813 relations shall likewise be maintained amongst themselves in  
 13814 future; and that they will abstain from all hostilities whatsoever  
 13815 against each other, and cultivate mutual good-will and friend-  
 13816 ship.

13817 ARTICLE 3. The aforesaid Indian tribes do also hereby  
 13818 fully recognize and acknowledge the right of the United States  
 13819 to lay off and mark out roads or highways, to make reserva-  
 13820 tions of land necessary thereto, to locate depots, and to estab-  
 13821 lish military and other posts within the territories inhabited by  
 13822 the said tribes; and also to prescribe and enforce, in such man-  
 13823 ner as the President or the Congress of the United States shall  
 13824 from time to time direct, rules and regulations to protect the  
 13825 rights of persons and property among the said Indian tribes.

13826       ARTICLE 4. The Camanche, Kiowa, and Apache tribes,  
 13827 parties as before recited, do further agree and bind themselves  
 13828 to make restitution or satisfaction for any injuries done by any  
 13829 band or any individuals of their respective tribes to the people  
 13830 of the United States who may be lawfully residing in or passing  
 13831 through their said territories; and to abstain hereafter from  
 13832 levying contributions from, or molesting them in any manner;  
 13833 and, so far as may be in their power, to render assistance to  
 13834 such as need relief, and to facilitate their safe passage.

13835       ARTICLE 5. The Camanche, and Kiowa, and Apache tribes  
 13836 of Indians, parties to this treaty, do hereby solemnly covenant  
 13837 and agree to refrain in future from warlike incursions into the  
 13838 Mexican provinces, and from all depredations upon the inhab-  
 13839 itants thereof; and they do likewise bind themselves to restore  
 13840 all captives that may hereafter be taken by any of the bands,  
 13841 war-parties, or individuals of the said several tribes, from the  
 13842 Mexican provinces aforesaid, and to make proper and just com-  
 13843 pensation for any wrongs that may be inflicted upon the people  
 13844 thereof by them, either to the United States or to the Republic  
 13845 of Mexico, as the President of the United States may direct and  
 13846 require.

13847       ARTICLE 6. In consideration of the foregoing agreements  
 13848 on the part of the Camanche, and Kiowa, and Apache tribes,  
 13849 parties to this treaty, of the losses which they may sustain by  
 13850 reason of the travel of the people of the United States through  
 13851 their territories, and for the better support, and the improve-  
 13852 ment of the social condition of the said tribes, the United  
 13853 States do bind themselves, and by these presents stipulate to  
 13854 deliver to the Camanche, Kiowa, and Apache tribes aforesaid,  
 13855 the sum of eighteen thousand dollars per annum, for and during  
 13856 the term of ten years next ensuing from this date, and for the  
 13857 additional term of five years, if, in the opinion of the President  
 13858 of the United States, such extension shall be advisable; the  
 13859 same to be given to them in goods, merchandise, provisions, or  
 13860 agricultural implements, or in such shape as may be best  
 13861 adapted to their wants, and as the President of the United  
 13862 States may designate, and to be distributed amongst the said  
 13863 several tribes in proportion to the respective numbers of each  
 13864 tribe.

13865       ARTICLE 7. The United States do moreover bind themselves,  
 13866 in consideration of the covenants contained in the preceding  
 13867 articles of this treaty, to protect and defend the Indian tribes,  
 13868 parties hereto, against the committal of any depredations upon  
 13869 them, and in their territories, by the people of the United  
 13870 States, for and during the term for which this treaty shall be in

13871 force, and to compensate them for any injuries that may result  
13872 therefrom.

13873 ARTICLE 8. It is also stipulated and provided, by and be-  
13874 tween the parties to this treaty, that should any of the Indian  
13875 tribes aforesaid violate any of the conditions, provisions, or  
13876 agreements herein contained, or fail to perform any of the obli-  
13877 gations entered into on their part, then the United States may  
13878 withhold the whole or a part of the annuities mentioned in the  
13879 sixth article of this treaty, from the tribe so offending, until, in  
13880 the opinion of the President or the Congress of the United States,  
13881 proper satisfaction shall have been made, or until persons  
13882 amongst the said Indians offending against the laws of the  
13883 United States shall have been delivered up to justice.

13884 ARTICLE 9. It is also consented to and determined between  
13885 the parties hereto, that the annuities to be given on the part of  
13886 the United States, as provided in the sixth article of this treaty,  
13887 shall be delivered to the said Indian tribes collectively, at or in  
13888 the vicinity of Beaver Creek, yearly, during the month of July  
13889 in each year, until some other time and place shall have been  
13890 designated by the President of the United States, in which  
13891 event the said Indian tribes shall have due notice thereof, and  
13892 the place of distribution which may be selected shall always be  
13893 some point within the territories occupied by the said tribes.

13894 ARTICLE 10. It is agreed between the United States and  
13895 the Camanche, Kiowa, and Apache tribes of Indians, that  
13896 should it at any time hereafter be considered by the United  
13897 States as a proper policy to establish farms among and for the  
13898 benefit of said Indians, it shall be discretionary with the Presi-  
13899 dent, by and with the advice and consent of the Senate, to  
13900 change the annuities herein provided for, or any part thereof,  
13901 into a fund for that purpose.

13902 In witness whereof, the said Thomas Fitzpatrick, Indian  
13903 agent, and sole commissioner on the part of the United States,  
13904 and the undersigned chiefs and head-men of the Camanche, and  
13905 Kiowa, and Apache tribes or nations, have hereunto set their  
13906 hands, at Fort Atkinson, in the Indian Territory of the United  
13907 States, this twenty-seventh day of July, A. D. eighteen hundred  
13908 and fifty-three.

13909 Proclaimed 12th February, 1854.

13910 *Treaty between the United States of America and the Kiowa, Co-*  
 13911 *manche, and Apache tribes of Indians; concluded October*  
 13912 *21, 1867; ratification advised July 25, 1868.*

13913 ANDREW JOHNSON, President of the United States of America,  
 13914 to all and singular to whom these presents shall come,  
 13915 greeting:

13916 Whereas a treaty was made and concluded at the Council  
 13917 Camp, on Medicine Lodge Creek, seventy miles south of Fort  
 13918 Larned, in the State of Kansas, on the twenty-first day of Octo-  
 13919 ber, in the year of our Lord one thousand eight hundred and  
 13920 sixty-seven, by and between N. G. Taylor, Brevet Major-Gen-  
 13921 eral William S. Harney, Brevet Major-General C. C. Augur, Bre-  
 13922 vet Major-General Alfred H. Terry, John B. Sanborn, Sam-  
 13923 uel F. Tappan, and J. B. Henderson, commissioners, on the  
 13924 part of the United States, and Satanka, (Sitting Bear,) Sa-Tan-Ta, (White Bear,) Parry-Wah-Say-Men, (Ten Bears,) Tep-Pe-Navon, (Painted Lips,) Mah-Vip-Pah, (Wolf's Sleeve,) Kon-Zhon-Ta-Co, (Poor Bear,) and other chiefs and head-  
 13928 men of the Kiowa, Comanche, and Apache tribes of Indians,  
 13929 on the part of said Indians, and duly authorized thereto  
 13930 by them, which treaty is in the words and figures following,  
 13931 to wit:

13932 Articles of a treaty concluded at the Council Camp on Medicine  
 13933 Lodge Creek, seventy miles south of Fort Larned, in the  
 13934 State of Kansas, on the twenty-first day of October, eighteen  
 13935 hundred and sixty-seven, by and between the United States  
 13936 of America, represented by its commissioners duly ap-  
 13937 pointed thereto, to wit: Nathaniel G. Taylor, William S.  
 13938 Harney, C. C. Augur, Alfred S. [H.] Terry, John B. San-  
 13939 born, Samuel F. Tappan, and J. B. Henderson, of the one  
 13940 part, and the Kiowa, Comanche, and Apache Indians, rep-  
 13941 resented by their chiefs and head-men duly authorized and  
 13942 empowered to act for the body of the people of said tribes,  
 13943 (the names of said chiefs and head-men being hereto sub-  
 13944 scribed,) of the other part, witness:

13945 Whereas, on the twenty-first day of October, eighteen hun-  
 13946 dred and sixty-seven, a treaty of peace was made and entered  
 13947 into at the Council Camp, on Medicine Lodge Creek, seventy  
 13948 miles south of Fort Larned, in the State of Kansas, by and  
 13949 between the United States of America, by its commissioners,  
 13950 Nathaniel G. Taylor, William S. Harney, C. C. Augur, Alfred  
 13951 H. Terry, John B. Sanborn, Samuel F. Tappan, and J. B. Hen-  
 13952 derson, of the one part, and the Kiowa and Comanche tribes of  
 13953 Indians, of the Upper Arkansas, by and through their chiefs and  
 13954 head-men, whose names are subscribed thereto, of the other

13955 part, reference being had to said treaty; and whereas, since the  
 13956 making and signing of said treaty, at a council held at said  
 13957 camp on this day, the chiefs and head-men of the Apache Nation  
 13958 or tribe of Indians express to the commissioners on the part of  
 13959 the United States, as aforesaid, a wish to be confederated with  
 13960 the said Kiowa and Comanche tribes, and to be placed in every  
 13961 respect upon an equal footing with said tribes; and whereas, at  
 13962 a council held at the same place and on the same day, with the  
 13963 chiefs and head-men of the said Kiowa and Comanche tribes  
 13964 they consent to the confederation of said Apache tribe, as de-  
 13965 sired by it, upon the terms and conditions hereinafter set forth  
 13966 in this supplementary treaty: Now, therefore, it is hereby stip-  
 13967 ulated and agreed, by and between the aforesaid commissioners  
 13968 on the part of the United States and the chiefs and head-men  
 13969 of the Kiowa and Comanche tribes, and also the chiefs and head-  
 13970 men of the said Apache tribe, as follows, to wit:

13971 ARTICLE 1. The said Apache tribe of Indians agree to  
 13972 confederate and become incorporated with the said Kiowa and  
 13973 Comanche Indians, and to accept as their permanent home the  
 13974 reservation described in the aforesaid treaty with said Kiowa  
 13975 and Comanche tribes, concluded as aforesaid at this place, and  
 13976 they pledge themselves to make no permanent settlement at  
 13977 any place nor on any lands outside of said reservation.

13978 ARTICLE 2. The Kiowa and Comanche tribes, on their part,  
 13979 agree that all the benefits and advantages arising from the em-  
 13980 ployment of physicians, teachers, carpenters, millers, engineers,  
 13981 farmers, and blacksmiths, agreed to be furnished under the pro-  
 13982 visions of their said treaty, together with all the advantages to  
 13983 be derived from the construction of agency buildings, ware-  
 13984 houses, mills, and other structures, and also from the establish-  
 13985 ment of schools upon their said reservation, shall be jointly and  
 13986 equally shared and enjoyed by the said Apache Indians, as  
 13987 though they had been originally a part of said tribes; and they  
 13988 further agree that all other benefits arising from said treaty shall  
 13989 be jointly and equally shared as aforesaid.

13990 ARTICLE 3. The United States, on its part, agrees that  
 13991 clothing and other articles named in Article X of said original  
 13992 treaty, together with all money or other annuities agreed to be  
 13993 furnished under any of the provisions of said treaty, to the Kio-  
 13994 was and Comanches, shall be shared equally by the Apaches.  
 13995 In all cases where specific articles of clothing are agreed to be  
 13996 furnished to the Kiowas and Comanches, similar articles shall  
 13997 be furnished to the Apaches, and a separate census of the  
 13998 Apaches shall be annually taken and returned by the agent, as  
 13999 provided for the other tribes. And the United States further  
 14000 agrees, in consideration of the incorporation of the said Apaches,

14001 to increase the annual appropriation of money, as provided for  
 14002 in Article X of said treaty, from twenty-five thousand to thirty  
 14003 thousand dollars; and the latter amount shall be annually ap-  
 14004 propriated, for the period therein named, for the use and benefit  
 14005 of said three tribes, confederated as herein declared; and the  
 14006 clothing and other annuities, which may from time to time be  
 14007 furnished to the Apaches, shall be based upon the census of the  
 14008 three tribes, annually to be taken by the agent, and shall be  
 14009 separately marked, forwarded, and delivered to them at the  
 14010 agency house, to be built under the provisions of said original  
 14011 treaty.

14012 ARTICLE 4. In consideration of the advantages conferred  
 14013 by this supplementary treaty upon the Apache tribe of Indians,  
 14014 they agree to observe and faithfully comply with all the stipula-  
 14015 tions and agreements entered into by the Kiowas and Comanches  
 14016 in said original treaty. They agree, in the same manner, to keep  
 14017 the peace toward the whites and all other persons under the ju-  
 14018 risdiction of the United States, and to do and perform all other  
 14019 things enjoined upon said tribes by the provisions of said treaty;  
 14020 and they hereby give up and forever relinquish to the United  
 14021 States all rights, privileges, and grants now vested in them, or  
 14022 intended to be transferred to them by the treaty between the  
 14023 United States and the Cheyenne and Arapahoe tribes of Indians,  
 14024 concluded at the camp on the Little Arkansas River, in the State  
 14025 of Kansas, on the fourteenth day of October, one thousand eight  
 14026 hundred and sixty-five, and also by the supplementary treaty,  
 14027 concluded at the same place on the seventeenth day of the same  
 14028 month, between the United States, of the one part, and the  
 14029 Cheyenne, Arapahoe, and Apache tribes, of the other part.

14030 Proclaimed August 25, 1858.

#### 14031 CAMANCHES AND KIWAS.

14032 *Treaty between the United States of America and the Camanche*  
 14033 *and Kiowa tribes of Indians, concluded October 18, 1865;*  
 14034 *ratification advised May 22, 1866.*

14035 ANDREW JOHNSON, President of the United States of America,  
 14036 to all and singular to whom these presents shall come,  
 14037 greeting:

14038 Whereas a treaty was made and concluded at the council-  
 14039 ground on the Little Arkansas River, in the State of Kansas, on  
 14040 the eighteenth day of October, in the year of our Lord one  
 14041 thousand eight hundred and sixty-five, by and between John B.

14042 Sanborn, William S. Harney, Kit Carson, William W. Bent, James  
 14043 Steele, Thomas Murphy, and J. H. Leavenworth, commissioners,  
 14044 on the part of the United States, and Tab-e-nan-i-kah, (Rising Sun,)  
 14045 Esh-e-tave-pa-rah, (Female Infant,) and other chiefs and head-  
 14046 men, on the part of the Camanche bands of Indians, and Queil-  
 14047 park, (Lone Wolf,) Wah-toh-konk, (Black Eagle,) and other  
 14048 chiefs and head-men, on the part of the Kiowa tribe of Indians,  
 14049 all of which chiefs and head-men were duly authorized thereto  
 14050 by their respective bands and tribes, which treaty is in the words  
 14051 and figures following, to wit:

14052 Articles of a treaty made and concluded at the council-ground  
 14053 on the Little Arkansas River, eight miles from the mouth  
 14054 of said river, in the State of Kansas, on the eighteenth day  
 14055 of October, in the year of our Lord one thousand eight  
 14056 hundred and sixty-five, by and between John B. Sanborn,  
 14057 William S. Harney, Thomas Murphy, Kit Carson, William  
 14058 W. Bent, Jesse H. Leavenworth, and James Steele, com-  
 14059 missioners on the part of the United States, and the under-  
 14060 signed chiefs and head-men of the several bands of Camanche  
 14061 Indians specified in connection with their signatures, and  
 14062 the chiefs and head-men of the Kiowa tribe of Indians, the  
 14063 said chiefs and head-men by the said bands and tribes being  
 14064 thereunto duly authorized.

14065 ARTICLE 1. It is agreed by the parties to this treaty that  
 14066 hereafter perpetual peace shall be maintained between the peo-  
 14067 ple and Government of the United States and the Indians  
 14068 parties hereto, and that the Indians parties hereto shall forever  
 14069 remain at peace with each other and with all other Indians who  
 14070 sustain friendly relations with the Government of the United  
 14071 States.

14072 For the purpose of enforcing the provisions of this article,  
 14073 it is agreed that in case hostile acts or depredations are com-  
 14074 mitted by the people of the United States, or by the Indians on  
 14075 friendly terms with the United States, against the tribe or tribes  
 14076 or the individual members of the tribe or tribes who are parties  
 14077 to this treaty, such hostile acts or depredations shall not be re-  
 14078 dressed by a resort to arms, but the party or parties aggrieved  
 14079 shall submit their complaints, through their agent, to the Pres-  
 14080 ident of the United States, and thereupon an impartial arbitra-  
 14081 tion shall be had under his direction, and the award thus made  
 14082 shall be binding on all parties interested, and the Government  
 14083 of the United States will in good faith enforce the same.

14084 And the Indians parties hereto, on their part, in case crimes  
 14085 or other violations of law shall be committed by any person or  
 14086 persons members of their tribe, such person or persons shall,  
 14087 upon complaint being made in writing to their agent, superin-

14088 tendent of Indian affairs, or to other proper authority, by the  
 14089 party injured, and verified by affidavit, be delivered to the per-  
 14090 son duly authorized to take such person or persons into custody,  
 14091 to the end that such person or persons may be punished accord-  
 14092 ing to the laws of the United States.

14093       ARTICLE 2. The United States hereby agree that the dis-  
 14094 trict of country embraced within the following limits, or such  
 14095 portion of the same as may hereafter from time to time be desig-  
 14096 nated by the President of the United States for that purpose,  
 14097 viz, commencing at the northeast corner of New Mexico, thence  
 14098 south to the southeast corner of the same. thence northeast-  
 14099 wardly to a point on main Red River opposite the mouth of the  
 14100 North Fork of said river, thence down said river to the 98th degree  
 14101 of west longitude, thence due north on said meridian to the Cima-  
 14102 rone river, thence up said river to a point where the same crosses  
 14103 the southern boundary of the State of Kansas, thence along said  
 14104 southern boundary of Kansas to the southwest corner of said  
 14105 State, thence west to the place of beginning, shall be, and is hereby,  
 14106 set apart for the absolute and undisturbed use and occupation of  
 14107 the tribes who are parties to this treaty, and of such other  
 14108 friendly tribes as have heretofore resided within said limits, or  
 14109 as they may from time to time agree to admit among them, and  
 14110 that no white person except officers, agents, and employés of  
 14111 the Government shall go upon or settle within the country em-  
 14112 braced within said limits, unless formally admitted and incor-  
 14113 porated into some one of the tribes lawfully residing there, ac-  
 14114 cording to its laws and usages. The Indians parties hereto on  
 14115 their part expressly agree to remove to and accept as their per-  
 14116 manent home the country embraced within said limits, whenever  
 14117 directed so to do by the President of the United States, in  
 14118 accordance with the provisions of this treaty, and that they will  
 14119 not go from said country for hunting purposes without the con-  
 14120 sent in writing of their agent or other authorized person, speci-  
 14121 fying the purpose for which such leave is granted, and such  
 14122 written consent in all cases shall be borne with them upon their  
 14123 excursions, as evidence that they are rightfully away from their  
 14124 reservation, and shall be respected by all officers, employés, and  
 14125 citizens of the United States, as their sufficient safeguard and  
 14126 protection against injury or damage in person or property, by  
 14127 any and all persons whomsoever. It is further agreed by the In-  
 14128 dians parties hereto, that when absent from their reservation,  
 14129 they will refrain from the commission of any depredations or in-  
 14130 juries to the person or property of all persons sustaining friendly  
 14131 relations with the Government of the United States; that they  
 14132 will not while so absent encamp, by day or night, within ten  
 14133 miles of any of the main travelled routes or roads through the

country to which they go, or of the military posts, towns, or villages therein, without the consent of the commanders of such military posts, or of the civil authorities of such towns or villages, and that henceforth they will, and do hereby, relinquish all claims or rights in and to any portion of the United States or territories, except such as is embraced within the limits aforesaid, and more especially their claims and rights in and to the country north of the Cimaron River, and west of the eastern boundary of New Mexico.

ARTICLE 3. It is further agreed that until the Indians parties hereto have removed to the reservation provided for by the preceding article, in pursuance of the stipulations thereof, said Indians shall be, and they are hereby, expressly permitted to reside upon and range at pleasure throughout the unsettled portions of that part of the country they claim as originally theirs, which lies south of the Arkansas River, as well as the country embraced within the limits of the reservation provided for by the preceding article, and that they shall and will not go elsewhere, except upon the terms and conditions prescribed by the preceding article in relation to leaving said reservation: *Provided*, That the provisions of the preceding article in regard to encamping within ten miles of main travelled routes, military posts, towns, and villages, shall be in full force as to the privileges granted by this article: *And provided further*, That they, the said Indians, shall and will at all times, and without delay, report to the commander of the nearest military post the presence in, or approach to, said country of any hostile band or bands of Indians whatever.

ARTICLE 4. It is further agreed by the parties hereto that the United States may lay off and build through the reservation, provided for by Article 2 of this treaty, roads or highways as may be deemed necessary, and may also establish such military posts within the same as may be found necessary, in order to preserve peace among the Indians, and in order to enforce such laws, rules, and regulations as are now or may from time to time be prescribed by the President and Congress of the United States for the protection of the rights of persons and property among the Indians residing upon said reservation; and further, that in time of war such other military posts as may be considered essential to the general interests of the United States may be established: *Provided, however*, That upon the building of such roads, or establishment of such military posts, the amount of injury sustained by reason thereof by the Indians inhabiting said reservation shall be ascertained under direction of the President of the United States, and thereupon such compensation shall be made to said Indians as, in the judgment of

14179 the Congress of the United States, may be deemed just and  
14180 proper.

14181 ARTICLE 5. Superseded by Article 10 of treaty of October 21,  
14182 1867, page 322.

14183 ARTICLE 6. The Indians parties to this treaty expressly  
14184 covenant and agree that they will use their utmost endeavors  
14185 to induce that portion of the respective tribes not now present  
14186 to unite with them and accede to the provisions of this treaty,  
14187 which union and accession shall be evidenced and made binding  
14188 on all parties whenever such absentees shall have participated  
14189 in the beneficial provisions of this treaty.

14190 Proclaimed May 26, 1866.

14191 *Treaty between the United States of America and the Kiowa and*  
14192 *Comanche tribes of Indians, concluded October 21, 1867;*  
14193 *ratification advised July 25, 1868; proclaimed August 25,*  
14194 *1868.*

14195 ANDREW JOHNSON, President of the United States of America,  
14196 to all and singular to whom these presents shall come,  
14197 greeting:

14198 [NOTE BY THE DEPARTMENT OF STATE.—The words of this  
14199 treaty which are put in brackets with an asterisk are written in  
14200 the original with black pencil, the rest of the original treaty  
14201 being written with black ink.]

14202 Whereas a treaty was made and concluded at the Council  
14203 Camp, on Medicine Lodge Creek, seventy miles south of Fort  
14204 Larned, in the State of Kansas, on the twenty-first day of Oc-  
14205 tober, in the year of our Lord one thousand eight hundred and  
14206 sixty-seven, by and between N. G. Taylor, Brevet Major-General  
14207 William S. Harney, Brevet Major-General C. C. Augur, Brevet  
14208 Major-General Alfred H. Terry, John B. Sanborn, Samuel F.  
14209 Tappan, and J. B. Henderson, commissioners on the part of the  
14210 United States, and Satank, (Sitting Bear,) Sa-Tan-Ta, (White  
14211 Bear,) Parry-Wah-Say-Men, (Ten Bears,) and Tep-Pe-Navon,  
14212 (Painted Lips,) and other chiefs and head-men of the Kiowa and  
14213 Comanche tribes of Indians, on the part of said Indians, and  
14214 duly authorized thereto by them, which treaty is in the words  
14215 and figures following, to wit:

14216 Articles of a treaty and agreement made and entered into at the  
14217 Council Camp, on Medicine Lodge Creek, seventy miles south  
14218 of Fort Larned, in the State of Kansas, on the twenty-first  
14219 day of October, one thousand eight hundred and sixty-  
14220 seven, by and between the United States of America, repre-  
14221 sented by its commissioners duly appointed thereto, to wit,

14222 Nathaniel G. Taylor, William S. Harney, C. C. Augur,  
 14223 Alfred S. [H.] Terry, John B. Sanborn, Samuel F. Tappan,  
 14224 and J. B. Henderson, of the one part, and the confederated  
 14225 tribes of Kiowa and Comanche Indians, represented by  
 14226 their chiefs and head-men, duly authorized and empowered  
 14227 to act for the body of the people of said tribes, (the names  
 14228 of said chiefs and head-men being hereto subscribed,) of the  
 14229 other part, witness:

14230 ARTICLE 1. From this day forward all war between the  
 14231 parties to this agreement shall forever cease.

14232 The Government of the United States desires peace, and  
 14233 its honor is here pledged to keep it. The Indians desire peace,  
 14234 and they now pledge their honor to maintain it. If bad men  
 14235 among the whites, or among other people subject to the  
 14236 authority of the United States, shall commit any wrong upon  
 14237 the person or property of the Indians, the United States will,  
 14238 upon proof made to the agent and forwarded to the Commis-  
 14239 sioner of Indian Affairs at Washington City, proceed at once to  
 14240 cause the offender to be arrested and punished according to the  
 14241 laws of the United States, and also re-imburse the injured person  
 14242 for the loss sustained.

14243 If bad men among the Indians shall commit a wrong or  
 14244 depredation upon the person or property of any one, white,  
 14245 black, or Indians, subject to the authority of the United States  
 14246 and at peace therewith, the tribes herein named solemnly agree  
 14247 that they will, on proof made to their agent and notice by him,  
 14248 deliver up the wrong-doer to the United States, to be tried and  
 14249 punished according to its laws, and in case they wilfully refuse  
 14250 so to do, the person injured shall be re-imbursed for his loss from  
 14251 the annuities or other moneys due or to become due to them  
 14252 under this or other treaties made with the United States. And  
 14253 the President, on advising with the Commissioner of Indian  
 14254 Affairs, shall prescribe such rules and regulations for ascertain-  
 14255 ing damages under the provisions of this article as, in his judg-  
 14256 ment, may be proper; but no such damages shall be adjusted  
 14257 and paid until thoroughly examined and passed upon by the  
 14258 Commissioner of Indian Affairs and the Secretary of the Inte-  
 14259 rior; and no one sustaining loss, while violating or because of  
 14260 his violating the provisions of this treaty or the laws of the  
 14261 United States, shall be re-imbursed therefor.

14262 ARTICLE 2. The United States agrees that [the\*] following  
 14263 district of country, to wit: commencing at a point where the  
 14264 Washita River crosses the 98th meridian west from Greenwich;  
 14265 thence up the Washita River, in the middle of the main channel  
 14266 thereof, to a point thirty miles, by river, west of Fort Cobb, as  
 14267 now established; thence due west to the north fork of Red

14268 River, provided said line strikes said river east of the one hun-  
 14269 dredth meridian of west longitude; if not, then only to said  
 14270 meridian-line, and thence south, on said meridian-line, to the  
 14271 said north fork of Red River; thence down said north fork, in  
 14272 the middle of the main channel thereof, from the point where it  
 14273 may be first intersected by the lines above described, to the  
 14274 main Red River; thence down said river, in the middle of the  
 14275 main channel thereof, to its intersection with the ninety-eighth  
 14276 meridian of longitude west from Greenwich; thence north, on  
 14277 said meridian-line, to the place of beginning, shall be, and the  
 14278 same is hereby, set apart for the absolute and undisturbed use  
 14279 and occupation of the tribes herein named, and for such other  
 14280 friendly tribes or individual Indians as, from time to time, they  
 14281 may be willing [with the consent of the United States\*] to admit  
 14282 among them; and the United States now solemnly agrees that  
 14283 no persons except those herein authorized so to do, and except  
 14284 such officers, agents, and employés of the Government as may be  
 14285 authorized to enter upon Indian reservation in discharge of  
 14286 duties enjoined by law, shall ever be permitted to pass over, settle  
 14287 upon, or reside in the territory described in this article, or in  
 14288 such territory as may be added to this reservation, for the use  
 14289 of said Indians.

14290 ARTICLE 3. If it should appear from actual survey or other  
 14291 satisfactory examination of said tract of land that it contains  
 14292 less than one hundred and sixty acres of tillable land for each  
 14293 person who, at the time, may be authorized to reside on it under  
 14294 the provisions of this treaty, and a very considerable number of  
 14295 such persons shall be disposed to commence cultivating the soil  
 14296 as farmers, the United States agrees to set apart for the use of  
 14297 said Indians, as herein provided, such additional quantity of  
 14298 arable land adjoining to said reservation, or as near the same  
 14299 as it can be obtained, as may be required to provide the neces-  
 14300 sary amount.

14301 ARTICLE 4. The United States agrees, at its own proper ex-  
 14302 pense, to construct, at some place near the centre of said reser-  
 14303 vation, where timber and water may be convenient, the follow-  
 14304 ing buildings, to wit: A warehouse or store-room for the use of  
 14305 the agent, in storing goods belonging to the Indians, to cost not  
 14306 exceeding fifteen hundred dollars; an agency-building for the  
 14307 residence of the agent, to cost not exceeding three thousand  
 14308 dollars; a residence for the physician, to cost not more than three  
 14309 thousand dollars; and five other buildings, for a carpenter,  
 14310 farmer, blacksmith, miller, and engineer, each to cost not ex-  
 14311 ceeding two thousand dollars; also a school-house or mission-  
 14312 building, so soon as a sufficient number of children can be in-

14313 duced by the agent to attend school, which shall not cost exceed-  
14314 ing five thousand dollars.

14315 The United States agrees further to cause to be erected on  
14316 said reservation, near the other buildings herein authorized, a  
14317 good steam circular-saw mill, with a grist-mill and shingle-ma-  
14318 chine attached; the same to cost not exceeding eight thousand  
14319 dollars.

14320 ARTICLE 5. The United States agrees that the agent for the  
14321 said Indians in the future shall make his home at the agency-  
14322 building; that he shall reside among them, and keep an office  
14323 open at all times, for the purpose of prompt and diligent inquiry  
14324 into such matters of complaint by and against the Indians as  
14325 may be presented for investigation under the provisions of their  
14326 treaty stipulations, as also for the faithful discharge of other  
14327 duties enjoined on him by law. In all cases of depredation on  
14328 person or property, he shall cause the evidence to be taken in  
14329 writing and forwarded, together with his findings, to the Com-  
14330 missioner of Indian Affairs, whose decision, subject to the re-  
14331 vision of the Secretary of the Interior, shall be binding on the  
14332 parties to this treaty.

14333 ARTICLE 6. If any individual belonging to said tribes  
14334 of Indians, or legally incorporated with them, being the  
14335 head of a family, shall desire to commence farming, he  
14336 shall have the privilege to select, in the presence and  
14337 with the assistance of the agent then in charge, a tract of  
14338 land within said reservation, not exceeding three hundred  
14339 and twenty acres in extent, which tract, when so selected,  
14340 certified, and recorded in the "land book" as herein directed,  
14341 shall cease to be held in common, but the same may be occupied  
14342 and held in the exclusive possession of the person selecting it,  
14343 and of his family, so long as he or they may continue to cultivate  
14344 it. Any person over eighteen years of age, not being the head  
14345 of a family, may in like manner select and cause to be certified  
14346 to him or her, for purposes of cultivation, a quantity of land not  
14347 exceeding eighty acres in extent, and thereupon be entitled to  
14348 the exclusive possession of the same, as above directed. For  
14349 each tract of land so selected a certificate, containing a descrip-  
14350 tion thereof and the name of the person selecting it, with a cer-  
14351 tificate indorsed thereon that the same has been recorded, shall  
14352 be delivered to the party entitled to it, by the agent, after the  
14353 same shall have been recorded by him in a book to be kept in  
14354 his office, subject to inspection, which said book shall be known  
14355 as the "Kiowa and Comanche land book." The President  
14356 may at any time order a survey of the reservation, and, when  
14357 so surveyed, Congress shall provide for protecting the rights of  
14358 settlers in their improvements, and may fix the character of the

14359 title held by each. The United States may pass such laws on  
 14360 the subject of alienation and descent of property and on all sub-  
 14361 jects connected with the government of the said Indians on said  
 14362 reservations, and the internal police thereof, as may be thought  
 14363 proper.

14364 ARTICLE 7. In order to insure the civilization of the tribes  
 14365 entering into this treaty, the necessity of education is admit-  
 14366 ted, especially by such of them as are or may be settled on said  
 14367 agricultural reservations; and they therefore pledge themselves  
 14368 to compel their children, male and female, between the ages of  
 14369 six and sixteen years, to attend school; and it is hereby made  
 14370 the duty of the agent for said Indians to see that this stipula-  
 14371 tion is strictly complied with; and the United States agrees  
 14372 that for every thirty children between said ages, who can be in-  
 14373 duced or compelled to attend school, a house shall be provided,  
 14374 and a teacher competent to teach the elementary branches of an  
 14375 English education shall be furnished, who will reside among  
 14376 said Indians, and faithfully discharge his or her duties as a  
 14377 teacher. The provisions of this article to continue for not less  
 14378 than twenty years.

14379 ARTICLE 8. When the head of a family or lodge shall have  
 14380 selected lands and received his certificate as above directed, and  
 14381 the agent shall be satisfied that he intends in good faith to  
 14382 commence cultivating the soil for a living, he shall be entitled  
 14383 to receive seeds and agricultural implements for the first year,  
 14384 not exceeding in value one hundred dollars, and for each suc-  
 14385 ceeding year he shall continue to farm, for a period of three  
 14386 years more, he shall be entitled to receive seeds and implements  
 14387 as aforesaid not exceeding in value twenty-five dollars. And  
 14388 it is further stipulated that such persons as commence farming  
 14389 shall receive instruction from the farmer herein provided for, and  
 14390 whenever more than one hundred persons shall enter upon the  
 14391 cultivation of the soil, a second blacksmith shall be provided,  
 14392 together with such iron, steel, and other material as may be  
 14393 needed.

14394 ARTICLE 9. At any time after ten years from the making of  
 14395 this treaty the United States shall have the privilege of with-  
 14396 drawing the physician, farmer, blacksmiths, carpenter, engineer,  
 14397 and miller herein provided for; but, in case of such withdrawal,  
 14398 an additional sum thereafter of ten thousand dollars per annum  
 14399 shall be devoted to the education of said Indians, and the Com-  
 14400 missioner of Indian Affairs shall, upon careful inquiry into the  
 14401 condition of said Indians, make such rules and regulations for  
 14402 the expenditure of said sum as will best promote the educational  
 14403 and moral improvement of said tribes.

14404 ARTICLE 10. In lieu of all sums of money or other annui-

14405 ties provided to be paid to the Indians herein named, under the  
 14406 treaty of October eighteenth, one thousand eight hundred and  
 14407 sixty-five, made at the mouth of the "Little Arkansas," and  
 14408 under all treaties made previous thereto, the United States  
 14409 agrees to deliver at the agency-house on the reservation herein  
 14410 named, on the fifteenth day of October of each year, for thirty  
 14411 years, the following articles, to wit:

14412 For each male person over fourteen years of age, a suit of  
 14413 good substantial woollen clothing, consisting of coat, pantaloons,  
 14414 flannel shirt, hat, and a pair of home-made socks. For each  
 14415 female over twelve years of age, a flannel skirt, or the goods  
 14416 necessary to make it, a pair of woollen hose, *and* twelve yards of  
 14417 calico, and twelve yards of "domestic."

14418 For the boys and girls under the ages named, such flannel  
 14419 and cotton goods as may be needed, to make each a suit as afore-  
 14420 said, together with a pair of woollen hose for each; and in order  
 14421 that the Commissioner of Indian Affairs may be able to estimate  
 14422 properly for the articles herein named, it shall be the duty of  
 14423 the agent, each year, to forward him a full and exact census of  
 14424 the Indians on which the estimates from year to year can be  
 14425 based; and, in addition to the clothing herein named, the sum  
 14426 of twenty-five thousand dollars shall be annually appropriated  
 14427 for a period of thirty years, to be used by the Secretary of the  
 14428 Interior in the purchase of such articles, upon the recommenda-  
 14429 tion of the Commissioner of Indian Affairs, as from time to time  
 14430 the condition and necessities of the Indians may indicate to be  
 14431 proper; and if at any time within the thirty years it shall appear  
 14432 that the amount of money needed for clothing under this article  
 14433 can be appropriated to better uses for the tribes herein named,  
 14434 Congress may by law change the appropriation to other purposes,  
 14435 but in no event shall the amount of this appropriation be with-  
 14436 drawn or discontinued for the period named; and the President  
 14437 shall annually detail an officer of the Army to be present and  
 14438 attest the delivery of all the goods herein named to the Indians,  
 14439 and he shall inspect and report on the quantity and quality of  
 14440 the goods and the manner of their delivery.

14441 ARTICLE 11. In consideration of the advantages and ben-  
 14442 efits conferred by this treaty, and the many pledges of friend-  
 14443 ship by the United States, the tribes who are parties to this  
 14444 agreement hereby stipulate that they will relinquish all right to  
 14445 occupy permanently the territory outside of their reservation,  
 14446 as herein defined, but they yet reserve the right to hunt on any  
 14447 lands south of the Arkansas [River,\*] so long as the buffalo may  
 14448 range thereon in such numbers as to justify the chase, [and no  
 14449 white settlements shall be permitted on any part of the lands  
 14450 contained in the old reservation, as defined by the treaty made

14451 between the United States and the Cheyenne, Arapahoe, and  
 14452 Apache tribes of Indians at the mouth of the Little Arkansas,  
 14453 under date of October fourteenth, one thousand eight hundred  
 14454 and sixty-five, within three years from this date;[\*] and they,  
 14455 [the said tribes,\*] further expressly agree—

14456 1st. That they will withdraw all opposition to the construc-  
 14457 tion of the railroad now being built on the Smoky Hill River,  
 14458 whether it be built to Colorado or New Mexico.

14459 2d. That they will permit the peaceable construction of any  
 14460 railroad not passing over their reservation as herein defined.

14461 3d. That they will not attack any persons at home, nor trav-  
 14462 elling, nor molest or disturb any wagon-trains, coaches, mules,  
 14463 or cattle belonging to the people of the United States, or to per-  
 14464 sons friendly therewith.

14465 4th. They will never capture or carry off from the settle-  
 14466 ments white women or children.

14467 5th. They will never kill nor scalp white men, nor attempt  
 14468 to do them harm.

14469 6th. They withdraw all pretence of opposition to the con-  
 14470 struction of the railroad now being built along the Platte River  
 14471 and westward to the Pacific Ocean; and they will not, in future,  
 14472 object to the construction of railroads, wagon-roads, mail-sta-  
 14473 tions, or other works of utility or necessity which may be or-  
 14474 dered or permitted by the laws of the United States. But should  
 14475 such roads or other works be constructed on the lands of their  
 14476 reservation, the Government will pay the tribes whatever amount  
 14477 of damage may be assessed by three disinterested commis-  
 14478 sioners, to be appointed by the President for that purpose, one  
 14479 of said commissioners to be a chief or head-man of the tribes.

14480 7th. They agree to withdraw all opposition to the military  
 14481 posts now established in the western Territories.

14482 ARTICLE 12. No treaty for the cession of any portion or  
 14483 part of the reservation herein described, which may be held in  
 14484 common, shall be of any validity or force as against the said  
 14485 Indians, unless executed and signed by at least three fourths of  
 14486 all the adult male Indians occupying the same, and no cession  
 14487 by the tribe shall be understood or construed in such manner as  
 14488 to deprive, without his consent, any individual member of the  
 14489 tribe of his rights to any tract of land selected by him as pro-  
 14490 vided in Article *III* [VI] of this treaty.

14491 ARTICLE 13. The Indian agent, in employing a farmer,  
 14492 blacksmith, miller, and other employés herein provided for,  
 14493 qualifications being equal, shall give the preference to Indians.

14494 ARTICLE 14. The United States hereby agrees to furnish  
 14495 annually to the Indians the physician, teachers, carpenter, mil-  
 14496 ler, engineer, farmer, and blacksmiths, as herein contemplated,

14497 and that such appropriations shall be made from time to time,  
 14498 on the estimates of the Secretary of the Interior, as will be suf-  
 14499 ficient to employ such persons.

14500 ARTICLE 15. It is agreed that the sum of seven hundred  
 14501 and fifty dollars be appropriated for the purpose of building a  
 14502 dwelling-house on the reservation for "Tosh-e-wa," (or the Sil-  
 14503 ver Brooch,) the Comanche chief who has already commenced  
 14504 farming on the said reservation. And the sum of five hundred  
 14505 dollars annually, for three years from date, shall be expended in  
 14506 presents to the ten persons of said tribes who, in the judgment  
 14507 of the agent, may grow the most valuable crops for the period  
 14508 named.

14509 ARTICLE 16. The tribes herein named agree, when the  
 14510 agency-house and other buildings shall be constructed on the  
 14511 reservation named, they will make said reservation their perma-  
 14512 nent home, and they will make no permanent settlement else-  
 14513 where, but they shall have the right to hunt on the lands south  
 14514 of the Arkansas River, formerly called theirs, in the same man-  
 14515 ner, subject to the modifications named in this treaty, as agreed  
 14516 on by the treaty of the Little Arkansas, concluded the eight-  
 14517 eenth day of October, one thousand eight hundred and sixty-five.

14518 Proclaimed August 25, 1868.

14519

#### CROWS.

14520 For the purpose of perpetuating the friendship which has  
 14521 heretofore existed, as also to remove all future cause of discus-  
 14522 sion or dissension, as it respects trade and friendship between  
 14523 the United States and their citazens and the Crow tribe of  
 14524 Indians, the President of the United States of America, by  
 14525 Brigadier-General Henry Atkinson, of the United States Army,  
 14526 and Major Benjamin O'Fallon, Indian agent, with full powers  
 14527 and authority, specially appointed and commissioned for that  
 14528 purpose, of the one part, and the undersigned chiefs, head-men,  
 14529 and warriors of the said Crow tribe of Indians on behalf of their  
 14530 tribe, of the other part, have made and entered into the following  
 14531 articles and conditions, which, when ratified by the President of  
 14532 the United States, by and with the advice and consent of the  
 14533 Senate, shall be binding on both parties, to wit:

14534 ARTICLE 1. It is admitted by the Crow tribe of Indians  
 14535 that they reside within the territorial limits of the United States,  
 14536 acknowledge their supremacy, and claim their protection. The  
 14537 said tribe also admit the right of the United States to regulate  
 14538 all trade and intercourse with them.

14539 ARTICLE 2. The United States agree to receive the Crow

14540 tribe of Indians into their friendship and under their protection,  
 14541 and to extend to them from time to time such benefits and acts  
 14542 of kindness as may be convenient, and seem just and proper to  
 14543 the President of the United States.

14544 ARTICLE 3. All trade and intercourse with the Crow tribe  
 14545 shall be transacted at such place or places as may be designated  
 14546 and pointed out by the President of the United States through  
 14547 his agents, and none but American citizens, duly authorized by  
 14548 the United States, shall be admitted to trade or hold intercourse  
 14549 with said tribe of Indians.

14550 ARTICLE 4. That the Crow tribe may be accommodated with  
 14551 such articles of merchandise, &c., as their necessities may de-  
 14552 mand, the United States agree to admit and license traders to  
 14553 hold intercourse with said tribe, under mild and equitable regu-  
 14554 lations, in consideration of which, the Crow tribe bind themselves  
 14555 to extend protection to the persons and the property of the  
 14556 traders, and the persons legally employed under them, whilst  
 14557 they remain within the limits of their district of country. And  
 14558 the said Crow tribe further agree, that if any foreigner or other  
 14559 person, not legally authorized by the United States, shall come  
 14560 into their district of country, for the purposes of trade or other  
 14561 views, they will apprehend such person or persons, and deliver  
 14562 him or them to some United States superintendent or agent of  
 14563 Indian affairs, or to the commandant of the nearest military  
 14564 post, to be dealt with according to law. And they further agree  
 14565 to give safe-conduct to all persons who may be legally authorized  
 14566 by the United States to pass through their country, and to pro-  
 14567 tect in their persons and property all agents or other persons  
 14568 sent by the United States to reside temporarily among them;  
 14569 and that they will not, whilst on their distant excursions, molest or  
 14570 interrupt any American citizen or citizens, who may be passing  
 14571 from the United States to New Mexico, or returning from thence  
 14572 to the United States.

14573 ARTICLE 5. That the friendship which is now established  
 14574 between the United States and the Crow tribe should not be in-  
 14575 terrupted by the misconduct of individuals, it is hereby agreed  
 14576 that, for injuries done by individuals, no private revenge or  
 14577 retaliation shall take place, but, instead thereof, complaints shall  
 14578 be made, by the party injured, to the superintendent or agent  
 14579 of Indian affairs, or other person appointed by the President;  
 14580 and it shall be the duty of said chiefs, upon complaint being  
 14581 made as aforesaid, to deliver up the person or persons against  
 14582 whom the complaint is made, to the end that he or they may be  
 14583 punished, agreeably to the laws of the United States. And, in  
 14584 like manner, if any robbery, violence, or murder shall be com-  
 14585 mitted on any Indian or Indians belonging to the said tribe, the

14586 person or persons so offending shall be tried, and, if found  
 14587 guilty, shall be punished in like manner as if the injury had  
 14588 been done to a white man. And it is agreed that the chiefs of  
 14589 said Crow tribe shall, to the utmost of their power, exert them-  
 14590 selves to recover horses or other property which may be stolen  
 14591 or taken from any citizen or citizens of the United States by any  
 14592 individual or individuals of said tribe; and the property so re-  
 14593 covered shall be forthwith delivered to the agents or other per-  
 14594 son authorized to receive it, that it may be restored to the proper  
 14595 owner. And the United States hereby guaranty to any Indian  
 14596 or Indians of said tribe a full indemnification for any horses or  
 14597 other property which may be stolen from them by any of their  
 14598 citizens: *Provided*, That the property stolen cannot be recov-  
 14599 ered, and that sufficient proof is produced that it was actually  
 14600 stolen by a citizen of the United States. And the said tribe  
 14601 engage, on the requisition or demand of the President of the  
 14602 United States, or of the agents, to deliver up any white man  
 14603 resident among them.

14604 ARTICLE 6. And the chiefs and warriors, as aforesaid, prom-  
 14605 ise and engage that their tribe will never, by sale, exchange, or  
 14606 as presents, supply any nation, tribe, or band of Indians, not in  
 14607 amity with the United States, with guns, ammunition, or other  
 14608 implements of war.

14609 Proclaimed February 6, 1826.

14610 *Treaty between the United States of America and the Crow tribe of*  
 14611 *Indians; concluded May 7, 1868; ratification advised July 25,*  
 14612 *1868.*

14613 ANDREW JOHNSON, President of the United States of America,  
 14614 to all and singular to whom these presents shall come, greet-  
 14615 ing:

14616 Whereas a treaty was made and concluded at Fort Laramie  
 14617 in the Territory of Dakota, on the seventh day of May, in the  
 14618 year of our Lord one thousand eight hundred and sixty-eight, by  
 14619 and between Lieutenant-General W. T. Sherman, Brevet Major-  
 14620 General William S. Harney, Alfred H. Terry, Brevet Major-Gen-  
 14621 eral C. C. Augur, John B. Sanborn, and S. F. Tappan, commis-  
 14622 sioners on the part of the United States, and Che-Ra-Pee-Ish-Ka-  
 14623 Te, Chat-Sta-He, and other chiefs and head-men of the Crow tribe  
 14624 of Indians, on the part of said Indians, and duly authorized  
 14625 thereto by them, which treaty is in the words and figures fol-  
 14626 lowing, to wit:

14627 Articles of a treaty made and concluded at Fort Laramie, Dakota  
 14628 Territory, on the seventh day of May, in the year of our Lord

14629           one thousand eight hundred and sixty-eight, by and between  
 14630           the undersigned commissioners on the part of the United  
 14631           States, and the undersigned chiefs and head-men of and  
 14632           representing the Crow Indians, they being duly authorized  
 14633           to act in the premises.

14634           ARTICLE 1. From this day forward peace between the par-  
 14635           ties to this treaty shall forever continue. The Government of  
 14636           the United States desires peace, and its honor is hereby pledged  
 14637           to keep it. The Indians desire peace, and they hereby pledge  
 14638           their honor to maintain it. If bad men among the whites or  
 14639           among other people, subject to the authority of the United States,  
 14640           shall commit any wrong upon the person or property of the In-  
 14641           dians, the United States will, upon proof made to the agent and  
 14642           forwarded to the Commissioner of Indian Affairs at Washington  
 14643           City, proceed at once to cause the offender to be arrested and  
 14644           punished according to the laws of the United States, and also  
 14645           re-imburse the injured person for the loss sustained.

14646           If bad men among the Indians shall commit a wrong or  
 14647           depredation upon the person or property of any one, white, black,  
 14648           or Indian, subject to the authority of the United States and at  
 14649           peace therewith, the Indians herein named solemnly agree that  
 14650           they will, on proof made to their agent and notice by him, deliver  
 14651           up the wrong-doer to the United States, to be tried and punished  
 14652           according to its laws; and in case they refuse willfully so to do,  
 14653           the person injured shall be re-imbursed for his loss from the  
 14654           annuities or other moneys due or to become due to them under  
 14655           this or other treaties made with the United States. And the  
 14656           President, on advising with the Commissioner of Indian Affairs,  
 14657           shall prescribe such rules and regulations for ascertaining dam-  
 14658           ages under the provisions of this article as in his judgment may  
 14659           be proper. But no such damages shall be adjusted and paid  
 14660           until thoroughly examined and passed upon by the Commissioner  
 14661           of Indian Affairs, and no one sustaining loss while violating, or  
 14662           because of his violating, the provisions of this treaty or the laws  
 14663           of the United States shall be re-imbursed therefor.

14664           ARTICLE 2. The United States agrees that the following  
 14665           district of country, to wit: commencing where the 107th degree  
 14666           of longitude west of Greenwich crosses the south boundary of  
 14667           Montana Territory; thence north along said 107th meridian to  
 14668           the mid-channel of the Yellowstone River; thence up said mid-  
 14669           channel of the Yellowstone to the point where it crosses the  
 14670           said southern boundary of Montana, being the 45th degree of  
 14671           north latitude; and thence east along said parallel of latitude  
 14672           to the place of beginning, shall be, and the same is, set apart  
 14673           for the absolute and undisturbed use and occupation of the In-  
 14674           dians herein named, and for such other friendly tribes or indi-

14675 vidual Indians as from to time they may be willing, with the  
 14676 consent of the United States, to admit amongst them; and the  
 14677 United States now solemnly agrees that no persons, except  
 14678 those herein designated and authorized so to do, and except  
 14679 such officers, agents, and employés of the Government as may be  
 14680 authorized to enter upon Indian reservations in discharge of  
 14681 duties enjoined by law, shall ever be permitted to pass over,  
 14682 settle upon, or reside in the territory described in this article  
 14683 for the use of said Indians, and henceforth they will, and do  
 14684 hereby, relinquish all title, claims, or rights in and to any por-  
 14685 tion of the territory of the United States, except such as is em-  
 14686 braced within the limits aforesaid.

14687 ARTICLE 3. The United States agrees, at its own proper  
 14688 expense, to construct, on the south side of the Yellowstone, near  
 14689 Otter Creek, a warehouse or store-room for the use of the agent  
 14690 in storing goods belonging to the Indians, to cost not exceeding  
 14691 twenty-five hundred dollars; an agency-building for the resi-  
 14692 dence of the agent, to cost not exceeding three thousand dol-  
 14693 lars; a residence for the physician, to cost not more than three  
 14694 thousand dollars; and five other buildings, for a carpenter,  
 14695 farmer, blacksmith, miller, and engineer, each to cost not ex-  
 14696 ceeding two thousand dollars; also a school-house or mission-  
 14697 building, so soon as a sufficient number of children can be in-  
 14698 duced by the agent to attend school, which shall not cost ex-  
 14699 ceeding twenty-five hundred dollars.

14700 The United States agrees further to cause to be erected on  
 14701 said reservation, near the other buildings herein authorized, a  
 14702 good steam circular saw-mill, with a grist-mill and shingle-ma-  
 14703 chine attached, the same to cost not exceeding eight thousand  
 14704 dollars.

14705 ARTICLE 4. The Indians herein named agree, when the  
 14706 agency-house and other buildings shall be constructed on the  
 14707 reservation named, they will make said reservation their perma-  
 14708 nent home, and they will make no permanent settlement else-  
 14709 where, but they shall have the right to hunt on the unoccupied  
 14710 lands of the United States so long as game may be found there-  
 14711 on, and as long as peace subsists among the whites and Indians  
 14712 on the borders of the hunting districts.

14713 ARTICLE 5. The United States agrees that the agent for  
 14714 said Indians shall in the future make his home at the agency-  
 14715 building; that he shall reside among them, and keep an office  
 14716 open at all times for the purpose of prompt and diligent inquiry  
 14717 into such matters of complaint, by and against the Indians, as  
 14718 may be presented for investigation under the provisions of their  
 14719 treaty stipulations, as also for the faithful discharge of other  
 14720 duties enjoined on him by law. In all cases of depredation on

14721 person or property, he shall cause the evidence to be taken in  
 14722 writing, and forwarded, together with his finding, to the Com-  
 14723 missioner of Indian Affairs, whose decision shall be binding on  
 14724 the parties to this treaty.

14725 ARTICLE 6. If any individual belonging to said tribes of In-  
 14726 dians, or legally incorporated with them, being the head of a  
 14726 family, shall desire to commence farming, he shall have the priv-  
 14728 ilege to select, in the presence and with the assistance of the  
 14729 agent then in charge, a tract of land within said reservation, not  
 14730 exceeding three hundred and twenty acres in extent, which tract,  
 14731 when so selected, certified, and recorded in the "land book," as  
 14732 herein directed, shall cease to be held in common, but the same  
 14733 may be occupied and held in the exclusive possession of the per-  
 14734 son selecting it, and of his family, so long as he or they may con-  
 14735 tinue to cultivate it.

14736 Any person over eighteen years of age, not being the head  
 14737 of a family, may in like manner select and cause to be certified  
 14738 to him or her, for purposes of cultivation, a quantity of land not  
 14739 exceeding eighty acres in extent, and thereupon be entitled to  
 14740 the exclusive possession of the same, as above directed.

14741 For each tract of land so selected a certificate, containing a  
 14742 description thereof and the name of the person selecting it, with  
 14743 a certificate endorsed thereon that the same has been recorded,  
 14744 shall be delivered to the party entitled to it by the agent, after  
 14745 the same shall have been recorded by him in a book to be kept  
 14746 in his office, subject to inspection, which said book shall be known  
 14747 as the "Crow land book."

14748 The President may at any time order a survey of the reser-  
 14749 vation, and, when so surveyed, Congress shall provide for pro-  
 14750 tecting the rights of settlers in their improvements, and may fix  
 14751 the character of the title held by each. The United States may  
 14752 pass such laws on the subject of alienation and descent of prop-  
 14753 erty as between Indians, and on all subjects connected with the  
 14754 government of the Indians on said reservations and the internal  
 14755 police thereof, as may be thought proper.

14756 ARTICLE 7. In order to insure the civilization of the tribe  
 14757 entering into this treaty, the necessity of education is admitted,  
 14758 especially by such of them as are, or may be, settled on said ag-  
 14759 ricultural reservation; and they therefore pledge themselves  
 14760 to compel their children, male and female, between the ages of  
 14761 six and sixteen years, to attend school; and it is hereby made  
 14762 the duty of the agent for said Indians to see that this stipula-  
 14763 tion is strictly complied with; and the United States agrees  
 14764 that for every thirty children between said ages, who can be in-  
 14765 duced or compelled to attend school, a house shall be provided,  
 14766 and a teacher, competent to teach the elementary branches of an

14767 English education, shall be furnished who will reside among  
 14768 said Indians, and faithfully discharge his or her duties as a  
 14769 teacher. The provisions of this article to continue for twenty  
 14770 years.

14771 ARTICLE 8. When the head of a family or lodge shall have  
 14772 selected lands and received his certificate as above directed, and  
 14773 the agent shall be satisfied that he intends in good faith to com-  
 14774 mence cultivating the soil for a living, he shall be entitled to  
 14775 receive seeds and agricultural implements for the first year in  
 14776 value one hundred dollars, and for each succeeding year he shall  
 14777 continue to farm, for a period of three years more, he shall be en-  
 14778 titled to receive seeds and implements as aforesaid in value  
 14779 twenty-five dollars per annum.

14780 And it is further stipulated that such persons as commence  
 14781 farming shall receive instructions from the farmer herein pro-  
 14782 vided for, and whenever more than one hundred persons shall  
 14783 enter upon the cultivation of the soil, a second blacksmith shall  
 14784 be provided with such iron, steel, and other material as may be  
 14785 required.

14786 ARTICLE 9. In lieu of all sums of money or other annuities  
 14787 provided to be paid to the Indians herein named, under any  
 14788 and all treaties heretofore made with them, the United States  
 14789 agrees to deliver at the agency house, on the reservation herein  
 14790 provided for, on the first day of September of each year for  
 14791 thirty years, the following articles, to wit:

14792 For each male person over fourteen years of age, a suit of  
 14793 good substantial woolen clothing, consisting of coat, hat, pant-  
 14794 aloons, flannel shirt, and a pair of woolen socks.

14795 For each female, over twelve years of age, a flannel skirt or  
 14796 the goods necessary to make it, a pair of woolen hose, twelve  
 14797 yards of calico, and twelve yards of cotton domestics.

14798 For the boys and girls under the ages named, such flannel  
 14799 and cotton goods as may be needed to make each a suit as afore-  
 14800 said, together with a pair of woollen hose for each.

14801 And in order that the Commissioner of Indian Affairs may  
 14802 be able to estimate properly for the articles herein named, it  
 14803 shall be the duty of the agent, each year, to forward to him a  
 14804 full and exact census of the Indians, on which the estimate from  
 14805 year to year can be based.

14806 And, in addition to the clothing herein named, the sum of  
 14807 ten dollars shall be annually appropriated for each Indian roam-  
 14808 ing, and twenty dollars for each Indian engaged in agriculture,  
 14809 for a period of ten years, to be used by the Secretary of the Inte-  
 14810 rior in the purchase of such articles as, from time to time, the  
 14811 condition and necessities of the Indians may indicate to be proper.  
 14812 And if, at any time within the ten years, it shall appear that the

14813 amount of money needed for clothing, under this article, can be  
 14814 appropriated to better uses for the tribe herein named, Congress  
 14815 may, by law, change the appropriation to other purposes; but  
 14816 in no event shall the amount of this appropriation be withdrawn  
 14817 or discontinued for the period named. And the President shall  
 14818 annually detail an officer of the Army to be present and attest  
 14819 the delivery of all the goods herein named to the Indians, and  
 14820 he shall inspect and report on the quantity and quality of the  
 14821 goods and the manner of their delivery; and it is expressly stip-  
 14822 ulated that each Indian over the age of four years, who shall  
 14823 have removed to and settled permanently upon said reservation,  
 14824 and complied with the stipulations of this treaty, shall be en-  
 14825 titled to receive from the United States, for the period of four  
 14826 years after he shall have settled upon said reservation, one pound  
 14827 of meat and one pound of flour per day, provided the Indians  
 14828 cannot furnish their own subsistence at an earlier date. And it  
 14829 is further stipulated that the United States will furnish and  
 14830 deliver to each lodge of Indians, or family of persons legally in-  
 14831 corporated with them, who shall remove to the reservation herein  
 14832 described, and commence farming, one good American cow, and  
 14833 one good, well-broken pair of American oxen, within sixty days  
 14834 after such lodge or family shall have so settled upon said reserva-  
 14835 tion.

14836       ARTICLE 10. The United States hereby agrees to furnish  
 14837 annually to the Indians the physician, teachers, carpenter, miller,  
 14838 engineer, farmer, and blacksmiths as herein contemplated, and  
 14839 that such appropriations shall be made from time to time, on the  
 14840 estimates of the Secretary of the Interior, as will be sufficient to  
 14841 employ such persons.

14842       ARTICLE 11. No treaty for the cession of any portion of the  
 14843 reservation herein described, which may be held in common,  
 14844 shall be of any force or validity as against the said Indians un-  
 14845 less executed and signed by, at least, a majority of all the adult  
 14846 male Indians occupying or interested in the same, and no cession  
 14847 by the tribe shall be understood or construed in such manner as  
 14848 to deprive, without his consent, any individual member of the  
 14849 tribe of his right to any tract of land selected by him as providep  
 14850 in Article 6 of this treaty.

14851       ARTICLE 12. It is agreed that the sum of five hundred dol-  
 14852 lars annually, for three years from the date when they commence  
 14853 to cultivate a farm, shall be expended in presents to the ten per-  
 14854 sons of said tribe who, in the judgment of the agent, may grow  
 14855 the most valuable crops for the respective year.

14856       Proclaimed August 12, 1868.

14857

## DELAWARES.

14858 *Articles of agreement and confederation made and entered into by*  
 14859 *Andrew and Thomas Lewis, esquires, commissioners for and*  
 14860 *in behalf of the United States of North America, of the one*  
 14861 *part, and Captain White Eyes, Captain John Kill Buck, jun-*  
 14862 *ior, and Captain Pipe, deputies and chief men of the Delaware*  
 14863 *Nation, of the other part.*

14864 ARTICLE 1. That all offences or acts of hostilities by one  
 14865 or either of the contracting parties against the other be mutu-  
 14866 ally forgiven, and buried in the depth of oblivion, never more  
 14867 to be had in remembrance.

14868 ARTICLE 2. That a perpetual peace and friendship shall from  
 14869 henceforth take place and subsist between the contracting parties  
 14870 aforesaid, through all succeeding generations; and if either of the  
 14871 parties are engaged in a just and necessary war with any other  
 14872 nation or nations, that then each shall assist the other in due  
 14873 proportion to their abilities, till their enemies are brought to  
 14874 reasonable terms of accommodation; and that if either of them  
 14875 shall discover any hostile designs forming against the other,  
 14876 they shall give the earliest notice thereof, that timeous measures  
 14877 may be taken to prevent their ill effect.

14878 ARTICLE 3. And whereas the United States are engaged in  
 14879 a just and necessary war, in defence and support of life, liberty,  
 14880 and independence, against the King of England and his adher-  
 14881 ents, and as said king is yet possessed of several posts and forts  
 14882 on the lakes and other places, the reduction of which is of great  
 14883 importance to the peace and security of the contracting parties,  
 14884 and as the most practicable way for the troops of the United  
 14885 States to some of the posts and forts is by passing through the  
 14886 country of the Delaware Nation, the aforesaid deputies, on behalf  
 14887 of themselves and their nation, do hereby stipulate and agree to  
 14888 give a free passage through their country to the troops aforesaid,  
 14889 and the same to conduct by the nearest and best ways to the  
 14890 posts, forts, or towns of the enemies of the United States,  
 14891 affording to said troops such supplies of corn, meat, horses, or  
 14892 whatever may be in their power for the accommodation of such  
 14893 troops, on the commanding officers, &c., paying, or engaging to  
 14894 pay, the full value of whatever they can supply them with. And  
 14895 the said deputies, on the behalf of their nation, engage to join  
 14896 the troops of the United States aforesaid, with such a number  
 14897 of their best and most expeart warriors as they can spare, con-  
 14898 sistent with their own safety, and act in concert with them; and  
 14899 for the better security of the old men, women, and children of

14900 the aforesaid nation, whilst their warriors are engaged against  
 14901 the common enemy, it is agreed on the part of the United States  
 14902 that a fort of sufficient strength and capacity be built at the  
 14903 expense of the said States, with such assistance as it may be in  
 14904 the power of the said Delaware Nation to give, in the most con-  
 14905 venient place and advantageous situation, as shall be agreed on  
 14906 by the commanding officer of the troops aforesaid, with the  
 14907 advice and concurrence of the deputies of the aforesaid Delaware  
 14908 Nation, which fort shall be garrisoned by such a number of the  
 14909 troops of the United States as the commanding officer can spare  
 14910 for the present, and hereafter by such numbers as the wise men  
 14911 of the United States in council shall think most conducive to  
 14912 the common good.

14913       ARTICLE 4. For the better security of the peace and friend-  
 14914 ship now entered into by the contracting parties, against all  
 14915 infractions of the same by the citizens of either party, to the pre-  
 14916 judice of the other, neither party shall proceed to the infliction  
 14917 of punishments on the citizens of the other, otherwise than by  
 14918 securing the offender or offenders by imprisonment, or any other  
 14919 competent means, till a fair and impartial trial can be had by  
 14920 judges or juries of both parties, as near as can be to the laws,  
 14921 customs, and usages of the contracting parties and natural jus-  
 14922 tice: The mode of such tryals to be hereafter fixed by the wise  
 14923 men of the United States in Congress assembled, with the as-  
 14924 sistance of such deputies of the Delaware Nation as may be  
 14925 appointed to act in concert with them in adjusting this matter to  
 14926 their mutual liking. And it is further agreed between the par-  
 14927 ties aforesaid, that neither shall entertain or give countenance  
 14928 to the enemies of the other, or protect in their respective states,  
 14929 criminal fugitives, servants, or slaves, but the same to apprehend,  
 14930 and secure and deliver to the State or States to which such en-  
 14931 emies, criminals, servants, or slaves respectively belong.

14932       ARTICLE 5. Whereas the confederation entered into by the  
 14933 Delaware Nation and the United States renders the first depend-  
 14934 ent on the latter for all the articles of cloathing, utensils, and  
 14935 implements of war, and it is judged not only reasonable, but in-  
 14936 dispensibly necessary, that the aforesaid nation be supplied  
 14937 with such articles from time to time, as far as the United States  
 14938 may have it in their power, by a well-regulated trade, under the  
 14939 conduct of an intelligent, candid agent, with an adequate salary,  
 14940 one more influenced by the love of his country, and a constant  
 14941 attention to the duties of his department by promoting the com-  
 14942 mon interest, than the sinister purposes of converting and bind-  
 14943 ing all the duties of his office to his private emolument: Con-  
 14944 vinced of the necessity of such measures, the commissioners of  
 14945 the United States, at the earnest solicitation of the deputies

14946 aforesaid, have engaged in behalf of the United States that such  
 14947 a trade shall be afforded said nation, conducted on such prin-  
 14948 cipals of mutual interest as the wisdom of the United States in  
 14949 Congress assembled shall think most conducive to adopt for their  
 14950 mutual convenience.

14951 ARTICLE 6. Whereas the enemies of the United States have  
 14952 endeavoured, by every artifice in their power, to possess the  
 14953 Indians in general with an opinion that it is the design of the  
 14954 States aforesaid to extirpate the Indians and take possession of  
 14955 their country, to obviate such false suggestion, the United States  
 14956 do engage to guarantee to the aforesaid nation of Delawares,  
 14957 and their heirs, all their ter'itoreal rights in the fullest and most  
 14958 ample manner, as it hath been bounded by former treaties, as  
 14959 long as they, the said Delaware Nation, shall abide by and hold  
 14960 fast the chain of friendship now entered into. And it is further  
 14961 agreed on between the contracting parties, should it for the  
 14962 future be found conducive for the mutual interest of both parties  
 14963 to invite any other tribes who have been friends to the interest  
 14964 of the United States, to join the present confederation, and to  
 14965 form a State whereof the Delaware Nation shall be the head,  
 14966 and have a representation in Congress: *Provided*, Nothing con-  
 14967 tained in this article to be considered as conclusive until it  
 14968 meets with the approbation of Congress. And it is also the in-  
 14969 tent and meaning of this article that no protection or counten-  
 14970 ance shall be afforded to any who are at present our enemies,  
 14971 by which they might escape the punishment they deserve.

14972 Concluded September 17, 1778.

14973 *A treaty between the United States of America and the Delaware*  
 14974 *tribe of Indians.*

14975 The Delaware tribe of Indians, finding that the annuity  
 14976 which they receive from the United States is not sufficient to  
 14977 supply them with the articles which are necessary for their com-  
 14978 fort and convenience, and afford the means of introducing  
 14979 amongst them the arts of civilised life, and being convinced  
 14980 that the extensiveness of the country they possess, by giving  
 14981 an opportunity to their hunting parties to ramble to a great  
 14982 distance from their towns, is the principal means of retarding  
 14983 this desirable event; and the United States being desirous to  
 14984 connect their settlements on the Wabash with the State of  
 14985 Kentucky: therefore the said United States, by William Henry  
 14986 Harrison, governor of the Indiana Territory, superintendent of  
 14987 Indian affairs, and their commissioner plenipotentiary for treat-  
 14988 ing with the Indian tribes northwest of the Ohio River; and  
 14989 the said tribe of Indians, by their sachems, chiefs, and head

14990 warriors, have agreed to the following articles, which when rat-  
 14991 ified by the President of the United States, by and with the  
 14992 advice and consent of the Senate, shall be binding on the said  
 14993 parties :

14994 ARTICLE 1. The said Delaware tribe, for the considerations  
 14995 hereinafter mentioned, relinquishes to the United States forever  
 14996 all their right and title to the tract of country which lies be-  
 14997 tween the Ohio and Wabash Rivers, and below the tract ceded  
 14998 by the treaty of Fort Wayne and the road leading from Vin-  
 14999 cennes to the falls of Ohio.

15000 ARTICLE 2. The said tribe shall receive from the United  
 15001 States, for ten years, an additional annuity of three hundred  
 15002 dollars, which is to be exclusively appropriated to the purpose  
 15003 of ameliorating their condition and promoting their civilization.  
 15004 Suitable persons shall be employed at the expence of the United  
 15005 States to teach them to make fences, cultivate the earth, and  
 15006 such of the domestic arts as are adapted to their situation ; and  
 15007 a further sum of three hundred dollars shall be appropriated  
 15008 annually for five years to this object. The United States will  
 15009 cause to be delivered to them in the course of the next spring  
 15010 horses fit for draft, cattle, hogs, and implements of husbandry  
 15011 to the amount of four hundred dollars. The preceding stipula-  
 15012 tions, together with goods to the amount of eight hundred dol-  
 15013 lars, which is now delivered to the said tribe, (a part of which  
 15014 is to be appropriated to the satisfying certain individuals of the  
 15015 said tribe, whose horses have been taken by white people) is to  
 15016 be considered as full compensation for the relinquishment made  
 15017 in the first article.

15018 ARTICLE 3. As there is great reason to believe that there  
 15019 are now in the possession of the said tribe several horses which  
 15020 have been stolen from citizens of the United States, the chiefs  
 15021 who represent the said tribe are to use their utmost endeavors  
 15022 to have the said horses forthwith delivered to the superintend-  
 15023 ent of Indian affairs, or such persons as he may appoint to  
 15024 receive them. And as the United States can place the utmost  
 15025 reliance on the honour and integrity of those chiefs who have  
 15026 manifested a punctilious regard to the engagements entered into  
 15027 at the treaty at Grenville, it is agreed that, in relation to such  
 15028 of the horses stolen as aforesaid, but which have died or been  
 15029 removed beyond the reach of the chiefs, the United States will  
 15030 compensate the owners for the loss of them without deducting  
 15031 from the annuity of the said tribe the amount of what may be  
 15032 paid in this way. But it is expressly understood that this pro-  
 15033 vision is not to extend to any horses which have been stolen  
 15034 within the course of twelve months preceding the date hereof.

15035 ARTICLE 4. The said tribe having exhibited to the above-

15036 named commissioner of the United States sufficient proof of  
 15037 their right to all the country which lies between the Ohio and  
 15038 White River, and the Miami tribe, who were the original pro-  
 15039 prietors of the upper part of that country, having explicitly  
 15040 acknowledged the title of the Delawares at the general council  
 15041 held at Fort Wayne in the month of June, 1803, the said United  
 15042 States will in future consider the Delawares as the rightful  
 15043 owners of all the country which is bounded by the White River  
 15044 on the north, the Ohio on the south, the general boundary-line  
 15045 running from the mouth of the Kentucky River on the east, and  
 15046 the tract ceded by this treaty, and that ceded by the treaty of  
 15047 Fort Wayne, on the west and southwest.

15048 ARTICLE 5. As the Piankishaw tribe have hitherto obsti-  
 15049 nately persisted in refusing to recognize the title of the Dela-  
 15050 wares to the tract of country ceded by this treaty, the United  
 15051 States will negotiate with them, and will endeavor to settle the  
 15052 matter in an amicable way; but should they reject the proposi-  
 15053 tions that may be made to them on this subject, and should the  
 15054 United States not think proper to take possession of the said  
 15055 country without their consent, the stipulations and promises  
 15056 herein made on behalf of the United States shall be null and  
 15057 void.

15058 ARTICLE 6. As the road from Vincennes to Clark's grant  
 15059 will form a very inconvenient boundary, and as it is the intention  
 15060 of the parties to these presents that the whole of the said road  
 15061 shall be within the tract ceded to the United States, it is agreed  
 15062 that the boundary in that quarter shall be a straight line to be  
 15063 drawn parallel to the course of the said road from the eastern  
 15064 boundary of the tracts ceded by the treaty of Fort Wayne to  
 15065 Clark's grant; but the said line is not to pass at a greater dis-  
 15066 tance than half a mile from the most northerly bend of said  
 15067 road.

15068 Proclaimed February 14, 1805.

15069 *Articles of a treaty made and concluded at St. Mary's, in the State*  
 15070 *of Ohio, between Jonathan Jennings, Lewis Cass, and Benja-*  
 15071 *min Parke, commissioners of the United States, and the Dela-*  
 15072 *ware Nation of Indians.*

15073 ARTICLE 1. The Delaware Nation of Indians cede to the  
 15074 United States all their claim to land in the State of Indiana.

15075 ARTICLE 2. In consideration of the aforesaid cession, the  
 15076 United States agree to provide for the Delawares a country to  
 15077 reside in, upon the west side of the Mississippi, and to guaranty  
 15078 to them the peaceable possession of the same.

15079 ARTICLE 3. The United States also agree to pay the

15080 Delawares the full value of their improvements in the country  
 15081 hereby ceded; which valuation shall be made by persons to be  
 15082 appointed for that purpose by the President of the United  
 15083 States; and to furnish the Delawares with one hundred and  
 15084 twenty horses, not to exceed in value forty dollars each, and a  
 15085 sufficient number of perogues, to aid in transporting them to  
 15086 the west side of the Mississippi; and a quantity of provisions,  
 15087 proportioned to their numbers and the extent of their journey.

15088 ARTICLE 4. The Delawares shall be allowed the use and  
 15089 occupation of their improvements for the term of three years  
 15090 from the date of this treaty, if they so long require it.

15091 ARTICLE 5. The United States agree to pay to the Dela-  
 15092 wares a perpetual annuity of four thousand dollars, which, to-  
 15093 gether with all annuities which the United States, by any for-  
 15094 mer treaty, engaged to pay to them, shall be paid in silver, at  
 15095 any place to which the Delawares may remove.

15096 ARTICLE 6. The United States agree to provide and support  
 15097 a blacksmith for the Delawares after their removal to the west  
 15098 side of the Mississippi.

15099 ARTICLE 7. One half-section of land shall be granted to  
 15100 each of the following persons, namely, Isaac Wobby, Samuel  
 15101 Cassman, Elizabeth Petchaka, and Jacob Dick; and one quarter  
 15102 of a section of land shall be granted to each of the following  
 15103 persons, namely, Solomon Tindell and Benoni Tindell, all of  
 15104 whom are Delawares; which tracts of land shall be located after  
 15105 the country is surveyed, at the first creek above the old fort on  
 15106 White River, and running up the river; and shall be held by the  
 15107 persons herein named, respectively, and their heirs; but shall  
 15108 never be conveyed or transferred without the approbation of the  
 15109 President of the United States.

15110 ARTICLE 8. A sum not exceeding thirteen thousand three  
 15111 hundred and twelve dollars and twenty-five cents shall be paid  
 15112 by the United States, to satisfy certain claims against the Dela-  
 15113 ware Nation, and shall be expended by the Indian agent at Piqua  
 15114 and Fort Wayne, agreeably to a schedule this day examined and  
 15115 approved by the commissioners of the United States.

15116 ARTICLE 9. This treaty, after the same shall be ratified by  
 15117 the President and Senate of the United States, shall be binding  
 15118 on the contracting parties.

15119 Proclaimed January 15, 1819.

15120 *Supplementary article to the Delaware treaty, concluded at St.*  
 15121 *Mary's, in the State of Ohio, on the 3d of October, 1818.*

15122 Whereas the foregoing treaty stipulates that the United  
 15123 States shall provide for the Delaware Nation a country to re-

15124 side in, west of the Mississippi, as the permanent residence of  
 15125 their nation; and whereas the said Delaware Nation are now  
 15126 willing to remove, on the following conditions, from the country  
 15127 on James' Fork of White River in the State of Missouri, to the  
 15128 country selected in the fork of the Kansas and Missouri River,  
 15129 as recommended by the Government, for the permanent resi-  
 15130 dence of the whole Delaware Nation; it is hereby agreed upon  
 15131 by the parties, that the country in the fork of the Kansas and  
 15132 Missouri Rivers, extending up the Kansas River to the Kansas  
 15133 line, and up the Missouri River to Camp Leavenworth, and  
 15134 thence by a line drawn westwardly, leaving a space ten miles  
 15135 wide, north of the Kansas boundary-line, for an outlet, shall  
 15136 be conveyed and forever secured by the United States to the  
 15137 said Delaware Nation as their permanent residence; and the  
 15138 United States hereby pledges the faith of the Government to  
 15139 guarantee to the said Delaware Nation, forever, the quiet and  
 15140 peaceable possession and undisturbed enjoyment of the same,  
 15141 against the claims and assaults of all and every other people  
 15142 whatever.

15143 And the United States hereby agrees to furnish the Dela-  
 15144 ware Nation with forty horses, to be given to their poor and  
 15145 destitute people, and the use of six waggons and ox-teams, to  
 15146 assist the nation in removing their heavy articles to their perma-  
 15147 nent home; and to supply them with all necessary farming-uten-  
 15148 sils and tools necessary for building houses, &c.; and to supply  
 15149 them with provisions on their journey, and with one year's pro-  
 15150 visions after they get to their permanent residence; and to  
 15151 have a griss and saw mill erected for their use, within two years  
 15152 after their complete removal.

15153 And it is hereby expressly stipulated and agreed upon by  
 15154 the parties that, for and in consideration of the full and entire  
 15155 relinquishment by the Delaware Nation of all claim whatever  
 15156 to the country now occupied by them in the State of Missouri,  
 15157 the United States shall pay to the said Delaware Nation an  
 15158 additional permanent annuity of one thousand dollars.

15159 And it is further stipulated that thirty-six sections of the  
 15160 best land within the limits hereby relinquished shall be selected,  
 15161 under the direction of the President of the United States, and  
 15162 sold for the purpose of raising a fund to be applied, under the  
 15163 direction of the President, to the support of schools for the ed-  
 15164 ucation of Delaware children.

15165 It is agreed upon by the parties that this supplementary ar-  
 15166 ticle shall be concluded in part only, at this time, and that a  
 15167 deputation of a chief, or warrior, from each town, with their in-  
 15168 terpretor, shall proceed with the agent to explore the country,  
 15169 more fully, and if they approve of said country to sign their

15170 names under ours, which shall be considered as finally conclud-  
 15171 ed on our part; and after the same shall be ratified by the Pres-  
 15172 ident and Senate of the United States, shall be binding on the  
 15173 contracting parties.

15174 Proclaimed March 24, 1831.

15175 FRANKLIN PIERCE, President of the United States of America  
 15176 to all and singular to whom these presents shall come.  
 15177 greeting:

15178 Whereas a treaty was made and concluded at the city of  
 15179 Washington, on the sixth day of May, one thousand eight hun-  
 15180 dred and fifty-four, by George W. Manypenny, as commissioner  
 15181 on the part of the United States, and the following-named del-  
 15182 egates of the Delaware tribe of Indians, viz: Sarcoxey; Ne-con-  
 15183 he-cond; Kock-ka-to-wha; Qua-cor-now-ha, or James Segondyne;  
 15184 Ne-sha-pa-na-cumin, or Charles Journeycake; Que-sha-to-wha,  
 15185 or John Ketchem; Pendoxey, or George Bullet; Kock-kock-  
 15186 quas, or James Ketchem; Ah-lah-a-chick, or James Conner;  
 15187 they being thereto duly authorized by said tribe; which treaty  
 15188 is in the words following, to wit:

15189 Articles of agreement and convention made and concluded at  
 15190 the city of Washington this sixth day of May, one thousand  
 15191 eight hundred and fifty-four, by George W. Manypenny, as  
 15192 commissioner on the part of the United States, and the fol-  
 15193 lowing-named delegates of the Delaware tribe of Indians,  
 15194 viz: Sarcoxey; Ne-con-he-cond; Kock-ka-to-wha; Qua-cor-  
 15195 now-ha, or James Segondyne; Ne-sha-pa-na-cumin, or  
 15196 Charles Journeycake; Que-sha-to-wha, or John Ketchem;  
 15197 Pondoxy, or George Bullet; Kock-kock-quas, or James  
 15198 Ketchem; Ah-lah-a-chick, or James Conner, they being  
 15199 thereto duly authorized by said tribe.

15200 ARTICLE 1. The Delaware tribe of Indians hereby cede, re-  
 15201 linquish, and quit-claim to the United States all their right, title,  
 15202 and interest in and to their country lying west of the State of  
 15203 Missouri, and situate in the fork of the Missouri and Kansas  
 15204 Rivers, which is described in the article supplementary to the  
 15205 treaty of October third, one thousand eight hundred and eigh-  
 15206 teen, concluded, in part, on the twenty-fourth September, one  
 15207 thousand eight hundred and twenty-nine, at Council Camp, on  
 15208 James' Fork of White River, in the State of Missouri, and finally  
 15209 concluded at Council Camp, in the fork of the Kansas and Mis-  
 15210 souri Rivers, on the nineteenth October, one thousand eight hun-  
 15211 dred and twenty-nine; and also their right, title, and interest in  
 15212 and to the "outlet" mentioned and described in said supple-  
 15213 mentary article, excepting that portion of said country sold to  
 15214 the Wyandot tribe of Indians, by instrument sanctioned by act

15215 of Congress approved July twenty-fifth, one thousand eight  
 15216 hundred and forty-eight, and also excepting that part of said  
 15217 country lying east and south of a line beginning at a point on the  
 15218 line between the land of the Delawares and the half-breed Kan-  
 15219 zas, forty miles, in a direct line, west of the boundary between  
 15220 the Delawares and Wyandots, thence north ten miles, thence  
 15221 in an easterly course to a point on the south bank of Big Island  
 15222 Creek, which shall also be on the bank of the Missouri River  
 15223 where the usual high-water line of said creek intersects the high-  
 15224 water line of said river.

15225 ARTICLE 2. The United States hereby agree to have the  
 15226 ceded country (excepting the said "outlet") surveyed, as soon  
 15227 as it can be conveniently done, in the same manner that the pub-  
 15228 lic lands are surveyed, such survey to be commenced and pros-  
 15229 ecuted as the President of the United States may deem best.  
 15230 And the President will, so soon as the whole or any portion of  
 15231 said lands are surveyed, proceed to offer such surveyed lands for  
 15232 sale, at public auction, in such quantities as he may deem proper,  
 15233 being governed in all respects, in conducting such sales, by the  
 15234 laws of the United States respecting the sales of the public lands;  
 15235 and such of the lands as may not be sold at the public sales  
 15236 shall thereafter be subject to private entry, in the same man-  
 15237 ner that private entries are made of United States lands; and  
 15238 any, or all, of such lands as remain unsold, after being three  
 15239 years subject to private entry, at the minimum Government price,  
 15240 may, by act of Congress, be graduated and reduced in price,  
 15241 until all said lands are sold; regard being had in said gradua-  
 15242 tion and reduction to the interests of the Delawares, and also to  
 15243 the speedy settlement of the country.

15244 ARTICLE 3. The United States agree to pay to the Delaware  
 15245 tribe of Indians the sum of ten thousand dollars; and, in con-  
 15246 sideration thereof, the Delaware tribe of Indians hereby cede,  
 15247 release, and quit-claim to the United States the said tract of  
 15248 country hereinbefore described as the "outlet." And as a fur-  
 15249 ther and full compensation for the cession made by the first  
 15250 article, the United States agree to pay to said tribe all the mon-  
 15251 eys received from the sales of the lands provided to be surveyed  
 15252 in the preceding article, after deducting therefrom the cost of  
 15253 surveying, managing, and selling the same.

15254 ARTICLE 4. The Delaware Indians have now, by treaty  
 15255 stipulation, the following permanent annuities, to wit: One  
 15256 thousand dollars, per fourth article of the treaty of third August,  
 15257 one thousand seven hundred and ninety-five. Five hundred dol-  
 15258 lars, per third article of the treaty of thirtieth of September, one  
 15259 thousand eight hundred and nine. Four thousand dollars, per  
 15260 fifth article of the treaty of the third October, one thousand

15261 eight hundred and eighteen. One thousand dollars, per supple-  
 15262 mental treaty of twenty-fourth September, one thousand eight  
 15263 hundred and twenty-nine. One hundred dollars for salt annuity,  
 15264 per third article of the treaty of June seventh, one thousand  
 15265 eight hundred and three. Nine hundred and forty dollars for  
 15266 blacksmith annuity, per sixth article of the treaty of third Octo-  
 15267 ber, one thousand eight hundred and eighteen. All which sev-  
 15268 eral permanent annuities they hereby relinquish, and forever  
 15269 absolve the United States from the further payment thereof, in  
 15270 consideration whereof the United States agree to pay to them,  
 15271 under the direction of the President, the sum of one hundred and  
 15272 forty-eight thousand dollars, as follows: seventy-four thousand  
 15273 dollars in the month of October, one thousand eight hundred  
 15274 and fifty-four, and seventy-four thousand dollars in the month of  
 15275 October, one thousand eight hundred and fifty-five; the object  
 15276 of converting the permanent annuities into these two payments  
 15277 being to aid the Delawares in making improvements on their  
 15278 present farms, and opening new ones on the land reserved, build-  
 15279 ing houses, buying necessary household furniture, stock, and  
 15280 farming-utensils, and such other articles as may be necessary to  
 15281 their comfort.

15282 ARTICLE 5. It is agreed that the sum of forty-six thousand  
 15283 and eighty dollars, being the value of the thirty-six sections of  
 15284 land set apart for school purposes by the supplemental treaty of  
 15285 one thousand eight hundred and twenty-nine, remain for the  
 15286 present at five per cent. interest, as stipulated by the resolution  
 15287 of the Senate of the nineteenth January, one thousand eight  
 15288 hundred and thirty-eight.

15289 ARTICLE 6. The Delawares feel now, as heretofore, grateful  
 15290 to their old chiefs for their long and faithful services. In former  
 15291 treaties, when their means were scanty, they provided, by small  
 15292 life-annuities, for the wants of these chiefs, some of whom are  
 15293 now receiving them. These chiefs are poor, and the Delawares  
 15294 believe it their duty to keep them from want in their old and  
 15295 declining age. It is the wish of the Delawares, and hereby stip-  
 15296 ulated and agreed, that the sum of ten thousand dollars, the  
 15297 amount provided in the third article as a consideration for the  
 15298 "outlet," shall be paid to their five chiefs, to wit: Captain  
 15299 Ketchem, Sarkoxey, Segondyne, Neconhecond, and Kock-ka-to-  
 15300 wha, in equal shares of two thousand dollars each, to be paid as  
 15301 follows: to each of said chiefs annually the sum of two hundred  
 15302 and fifty dollars, until the whole sum is paid: *Provided*, That if  
 15303 any one or more of said chiefs die before the whole or any part  
 15304 of the sum is paid, the annual payments remaining to his share  
 15305 shall be paid to his male children, and, in default of male heirs,  
 15306 then to the legal representatives of such deceased chief or chiefs;

15307 and it is understood that the small life-annuities stipulated for  
15308 by former treaties shall be paid as directed by said treaties.

15309 ARTICLE 7. It is expected that the amount of moneys aris-  
15310 ing from the sales herein provided for will be greater than the  
15311 Delawares will need to meet their current wants; and as it is  
15312 their duty and their desire also to create a permanent fund for  
15313 the benefit of the Delaware people, it is agreed that all the  
15314 money not necessary for the reasonable wants of the people  
15315 shall from time to time be invested by the President of the United  
15316 States in safe and profitable stocks, the principal to remain un-  
15317 impaired, and the interest to be applied annually for the civiliza-  
15318 tion, education, and religious culture of the Delaware people,  
15319 and such other objects of a beneficial character as in his judg-  
15320 ment are proper and necessary.

15321 ARTICLE 8. As the annual receipts from the sales of the  
15322 lands cannot now be determined, it is agreed that the whole sub-  
15323 ject be referred to the judgment of the President, who may, from  
15324 time to time, prescribe how much of the net proceeds of said  
15325 sales shall be paid out to the Delaware people, and the mode and  
15326 manner of such payment; also how much shall be invested; and  
15327 in distributing the funds to the people, due regard and encourage-  
15328 ment shall be given to that portion of the Delawares who are  
15329 competent to manage their own affairs, and who know and ap-  
15330 preciate the value of money; but Congress may, at any time,  
15331 and from time to time, by law, make such rules and regulations  
15332 in relation to the funds arising from the sale of said lands, and  
15333 the application thereof for the benefit and improvement of the  
15334 Delaware people, as may, in the wisdom of that body, seem just  
15335 and proper.

15336 ARTICLE 9. The debts of Indians, contracted in their private  
15337 dealings as individuals, whether to traders or otherwise, shall  
15338 not be paid from the general fund.

15339 ARTICLE 10. The Delawares promise to renew their efforts  
15340 to suppress the introduction and the use of ardent spirits in their  
15341 country and among their people, and to encourage industry,  
15342 integrity, and virtue, so that every one may become civilized,  
15343 and, as many now are, competent to manage their business  
15344 affairs; but should some of them unfortunately continue to refuse  
15345 to labor, and remain or become dissipated and worthless, it shall  
15346 be discretionary with the President to give such direction to the  
15347 portion of funds, from time to time, due to such persons, as will  
15348 prevent them from squandering the same, and secure the benefit  
15349 thereof to their families.

15350 ARTICLE 11. At any time hereafter, when the Delawares  
15351 desire it, and at their request and expense, the President may  
15352 cause the country reserved for their permanent home to be sur-

veyed in the same manner as the ceded country is surveyed, and may assign such portion to each person or family as shall be designated by the principal men of the tribe: *Provided*, Such assignment shall be uniform.

ARTICLE 12. In the settlement of the country adjacent to the Delaware reservation, roads and highways will become necessary, and it is agreed that all roads and highways laid out by authority of law, shall have a right of way through the reserved lands, on the same terms that the law provides for their location through the lands of citizens of the United States; and railroad companies, when the lines of their roads necessarily pass through the said reservation, shall have the right of way, on payment of a just compensation therefor in money.

ARTICLE 13. The Christian Indians live in the country herein ceded, and have some improvements. They desire to remain where they are, and the Delawares are willing, provided the Christian Indians can pay them for the land. It is therefore agreed that there shall be confirmed by patent to the said Christian Indians, subject to such restrictions as Congress may provide, a quantity of land equal to four sections, to be selected in a body from the surveyed lands, and to include their present improvements: *Provided*, The said Christian Indians, or the United States for them, pay to the Secretary of the Interior, for the use of the Delaware Indians, within one year from the date of the ratification of this treaty, the sum of two dollars and fifty cents per acre therefor: *And provided further*, That the provisions of article twelve, in relation to roads, highways, and railroads, shall be applicable to the land thus granted to the Christian Indians.

ARTICLE 14. The Delawares acknowledge their dependence on the Government of the United States, and invoke its protection and care. They desire to be protected from depredations and injuries of every kind, and to live at peace with all the Indian tribes; and they promise to abstain from war, and to commit no depredations on either citizens or Indians; and if, unhappily, any difficulty should arise, they will at all times, as far as they are able, comply with the law in such cases made and provided, as they will expect to be protected and their rights vindicated by it, when they are injured.

ARTICLE 15. A primary object of this instrument being to advance the interests and welfare of the Delaware people, it is agreed that, if it prove insufficient to effect these ends, from causes which cannot now be foreseen, Congress may hereafter make such further provision, by law, not inconsistent herewith, as experience may prove to be necessary to promote the interests, peace, and happiness of the Delaware people.

15399 ARTICLE 16. It is agreed by the parties hereto, that the  
 15400 provisions of the act of Congress, approved third of March, one  
 15401 thousand eight hundred and seven, in relation to lands ceded to  
 15402 the United States, shall, so far as applicable, be extended to the  
 15403 lands herein ceded.

15404 ARTICLE 17. It is further stipulated that, should the Sen-  
 15405 ate of the United States reject the thirteenth article hereof,  
 15406 such rejection shall in no wise affect the validity of the other  
 15407 articles.

15408 ARTICLE 18. This instrument shall be obligatory on the  
 15409 contracting parties as soon as the same shall be ratified by the  
 15410 President and the Senate of the United States.

15411 Proclaimed July 17, 1854.

15412 *Treaty between the United States and the Delaware tribe of In-*  
 15413 *dians, concluded May 30, 1860.*

15414 *By the President of the United States of America.*

15415 A PROCLAMATION.

15416 *To all and singular to whom these presents shall come, greeting :*

15417 Whereas a treaty was made and concluded at Sarcoxieville,  
 15418 on the Delaware reservation, on the thirtieth day of May,  
 15419 eighteen hundred and sixty, by Thomas B. Sykes, as commis-  
 15420 sioner on the part of the United States, and the chiefs and  
 15421 head-men of the Delaware tribe of Indians hereinafter men-  
 15422 tioned, which treaty is in the following words, to wit:

15423 Articles of agreement and convention made and concluded at  
 15424 Sarcoxieville, on the Delaware reservation, this thirtieth  
 15425 day of May, one thousand eight hundred and sixty, by  
 15426 Thomas B. Sykes, as commissioner on the part of the United  
 15427 States, and the following-named chiefs of the Delaware  
 15428 tribe of Indians, viz: John Connor, head chief of the whole  
 15429 tribe; Sar-cox-ie, chief of the Turtle band; Ne-con-he-con,  
 15430 chief of the Wolf band; Rock-a-to-wha, chief of the Tur-  
 15431 key band, and assistants to the said head chief, chosen and  
 15432 appointed by the people, and James Connor, chosen by the  
 15433 said chiefs as delegate.

15434 ARTICLE 1. By the first article of the treaty made and con-  
 15435 cluded at the city of Washington on the sixth day of May, one  
 15436 thousand eight hundred and fifty-four, between George W.  
 15437 Manypenny, commissioner on the part of the United States,  
 15438 and certain delegates of the Delaware tribe of Indians, which  
 15439 treaty was ratified by the Senate of the United States on the  
 15440 eleventh day of July, one thousand eight hundred and fifty-

15441 four, there was reserved, as a permanent home for the said tribe,  
 15442 that part of their country lying east and south of a line begin-  
 15443 ning at a point on the line between the Delawares and Half-  
 15444 breed Kansas, forty miles in a direct line west of the boundary  
 15445 between the Delawares and Wyandottes; thence north ten  
 15446 miles; thence in an easterly course to a point on the south bank  
 15447 of Big Island Creek, which shall also be on the bank of the Mis-  
 15448 souri River, where the usual high-water line of said creek inter-  
 15449 sects the high-water line of said river. And by the eleventh  
 15450 article of said treaty it was stipulated that "at any time here-  
 15451 after, when the Delawares desire it, and at their request and  
 15452 expense, the President may cause the country reserved for their  
 15453 permanent home to be surveyed in the same manner as the  
 15454 ceded country is surveyed, and may assign such portion to  
 15455 each person or family as shall be designated by the principal  
 15456 men of the tribe: *Provided*, Such assignments shall be uniform."

15457 The Delawares having represented to the Government that  
 15458 it is their wish that a portion of the lands reserved for their  
 15459 home may be divided among them in the manner contemplated  
 15460 by the eleventh article of the treaty aforesaid, it is hereby  
 15461 agreed by the parties hereto that the said reservation shall be  
 15462 surveyed, as early as practicable after the ratification of these  
 15463 articles of agreement and convention, in the same manner that  
 15464 the public lands are surveyed; and to each member of the Dela-  
 15465 ware tribe there shall be assigned a tract of land containing  
 15466 eighty acres, to include in every case, as far as practicable, a  
 15467 reasonable portion of timber, to be selected according to the  
 15468 legal sub-divisions of survey.

15469 ARTICLE 2. The division and assignment in severalty  
 15470 among the Delawares of the land shall be made in a compact  
 15471 body, under the direction of the Secretary of the Interior, and  
 15472 his decision of all questions arising thereupon shall be final and  
 15473 conclusive.

15474 Certificates shall be issued by the Commissioner of Indian  
 15475 Affairs for the tracts assigned in severalty, specifying the names  
 15476 of the individuals to whom they have been assigned respect-  
 15477 ively, and that the said tracts are set apart for the exclusive  
 15478 use and benefit of the assignees and their heirs. And said  
 15479 tracts shall not be alienable in fee, leased, or otherwise dis-  
 15480 posed of, except to the United States or to members of the  
 15481 Delaware tribe, and under such rules and regulations as may  
 15482 be prescribed by the Secretary of the Interior; and said tracts  
 15483 shall be exempt from levy, taxation, sale, or forfeiture, until  
 15484 otherwise provided by Congress.

15485 Prior to the issue of the certificates aforesaid the Secretary  
 15486 of the Interior shall make such rules and regulations as he may

15487 deem necessary or expedient respecting the disposition of  
 15488 any of said tracts, in case of the death of the person or per-  
 15489 sons to whom they may be assigned, so that the same shall be  
 15490 secured to the families of such deceased persons. And should  
 15491 any of the Indians to whom tracts shall be assigned abandon  
 15492 them, the said Secretary may take such action in relation to the  
 15493 proper disposition thereof as, in his judgment, may be neces-  
 15494 sary and proper.

15495       The improvements of the Indians residing on the lands to  
 15496 be sold shall be valued by the United States, and the individual  
 15497 owners thereof shall receive the amount realized from the sale  
 15498 of the same, to be expended in building other improvements for  
 15499 them on the lands retained.

15500       ARTICLE 3. The Delaware tribe of Indians, entertaining the  
 15501 belief that the value of their lands will be enhanced by having  
 15502 a railroad passing through their present reservation, and being  
 15503 of the opinion that the Leavenworth, Pawnee and Western  
 15504 Railroad Company, incorporated by an act of the legislative  
 15505 assembly of Kansas Territory, will have the advantage of travel  
 15506 and general transportation over every other company proposed  
 15507 to be formed which will run through their lands, have expressed  
 15508 a desire that the said Leavenworth, Pawnee and Western Rail-  
 15509 road Company shall have the preference of purchasing the re-  
 15510 mainder of their lands after the tracts in severalty and those  
 15511 for the special objects herein named shall have been selected  
 15512 and set apart, upon the payment into the United States Treasury,  
 15513 which payment shall be made within six months after the quan-  
 15514 tity shall have been ascertained, in gold or silver coin, of such  
 15515 a sum as three commissioners, to be appointed by the Secretary  
 15516 of the Interior, shall appraise to be the value of said land:  
 15517 *Provided*, in no event shall the value be placed below the sum  
 15518 of one dollar and twenty-five cents per acre, exclusive of the  
 15519 cost of survey of the same. [And that the United States will  
 15520 issue a patent in fee simple to said company, upon the payment  
 15521 as aforesaid, for all their land remaining in Kansas.] It is,  
 15522 therefore, agreed by the United States that the wishes of the  
 15523 Delawares shall be granted; that they will accept of the trust re-  
 15524 posed upon them; and that the money resulting from such dispo-  
 15525 sition of the lands shall be disposed of and applied in the manner  
 15526 provided for by the seventh and eighth articles of the Delaware  
 15527 treaty of sixth May, one thousand eight hundred and fifty-four,  
 15528 after expending a sufficient sum to enable them to commence  
 15529 agricultural pursuits under favorable circumstances. It is also  
 15530 agreed that the said railroad company shall have the perpetual  
 15531 right of way over any portion of the lands allotted to the Dela-  
 15532 wares in severalty, on the payment of a just compensation there-

15533 for, in money, to the respective parties whose lands are crossed  
 15534 by the line of railroad. It being the intent and meaning of the  
 15535 Delawares, in consenting to the sale of their surplus lands to  
 15536 said company, that they should, in good faith, and within a  
 15537 reasonable time, construct a railroad through their reservation,  
 15538 and to carry out this intent, as well as to secure so great a  
 15539 public convenience, it is agreed that no patent shall issue for  
 15540 any of these lands, nor shall the sale be binding upon the Dela-  
 15541 ware Indians nor the United States, until the Secretary of the  
 15542 Interior shall be fully satisfied that a line of twenty-five miles  
 15543 of the road from Leavenworth City shall have been completed  
 15544 and equipped, when a patent shall issue for one-half of the  
 15545 ascertained quantity, the patent for the residue to issue only  
 15546 when the said Secretary shall be satisfied that the road has  
 15547 been in like manner completed and equipped to the western  
 15548 boundary of the Delaware reservation. And if the said company  
 15549 shall fail or neglect to construct either the first or second sec-  
 15550 tions of the road, or having constructed the first section and  
 15551 fail to complete the second section within a reasonable time,  
 15552 they shall forfeit to the United States all right to the lands not  
 15553 previously patented, and the certificate of purchase shall be  
 15554 deemed and considered cancelled. *And provided further*, That  
 15555 in case the said company shall fail to make payment for the  
 15556 lands, or fail to construct the road, as hereinbefore stipulated,  
 15557 within a reasonable time, the surplus lands shall be disposed of  
 15558 by the Secretary of the Interior at public auction, in quantities  
 15559 not exceeding one hundred and sixty acres; but in no case for a  
 15560 sum less than the appraised value, the net proceeds to be ap-  
 15561 plied in the same manner as hereinbefore specified. *And pro-*  
 15562 *vided further*, That the said railroad company shall finally, and  
 15563 in good faith sell and dispose of all said lands within seven  
 15564 years after receiving the patent therefor, except what may be  
 15565 necessary for railroad purposes, and, in default thereof, so much  
 15566 thereof as may remain undisposed of shall revert to the Dela-  
 15567 ware Nation, to be disposed of as is herein provided for other  
 15568 forfeited lands.

15569       ARTICLE 4. Whereas some years ago a good many of the  
 15570 Delawares went down among the Southern Indians, and as there  
 15571 are still about two hundred of them there, and as they have  
 15572 reason to believe they will return soon, it is hereby agreed that  
 15573 eighty acres each be set apart for them, to be allotted to them  
 15574 as they return, and certificates to be then issued to them, in the  
 15575 same manner as to those now within the reservation, and in  
 15576 every respect to be governed by the same rules and regulations  
 15577 as prescribed for the government of the lands reserved by the

15578 preceding articles, that until they return the allotments set apart  
15579 for belong to the nation in common.

15580       ARTICLE 5. There shall be reserved three hundred and  
15581 twenty acres of ground where the mill, and school-house, and  
15582 Ketchum's store now stand; three hundred and twenty acres  
15583 where the council-house now is; one hundred and sixty acres  
15584 where the Baptist mission now is; one hundred and sixty acres  
15585 where the agency-house now is; forty acres where the Methodist  
15586 Episcopal Church, South, now is; forty acres where the Methodist  
15587 Episcopal Church, North, now is; which several tracts, with the  
15588 improvements thereupon, shall be disposed of when the objects  
15589 for which they have been reserved shall have been accomplished,  
15590 in such manner and for such purposes as the Secretary of the  
15591 Interior shall determine to be just and equitable, for the benefit  
15592 of the Delawares.

15593       ARTICLE 6. By article fourteen of the treaty between the  
15594 Delawares and the United States, of May six, eighteen hundred  
15595 and fifty-four, ratified by the Senate July eleven, eighteen hun-  
15596 dred and fifty-four, the United States bound herself to protect  
15597 them and their rights; and that whereas, that depredations of  
15598 various kinds have been committed upon them and their lands,  
15599 it is hereby agreed that the United States shall pay them, within  
15600 twelve months from the ratification of these articles of treaty  
15601 and convention, thirty thousand dollars as indemnity for timber  
15602 that has been cut off their reservation by the whites, and nine  
15603 thousand five hundred dollars as indemnity for ponies and cattle  
15604 that have been stolen from them by the whites since their last  
15605 treaty with the United States. It is further stipulated that,  
15606 should the Senate of the United States refuse this article, it  
15607 shall in nowise affect the validity of the other articles, or pre-  
15608 judice the right of the Delawares to appeal to the Congress of  
15609 the United States for the indemnities hereby agreed upon.

15610       It is further understood that, at the treaty between the  
15611 Delawares and the United States, made September twenty-four,  
15612 eighteen hundred and twenty-nine, the boundary of the reserva-  
15613 tion then set apart for them included the Half-breed Kansas  
15614 lands; but it afterwards proved that the United States had  
15615 previously set apart these lands for the Half-breed Kaws, and by  
15616 that means they have been kept out of the use and benefit of  
15617 said lands; it is, therefore, hereby agreed that a fair valuation  
15618 shall be made by the United States upon such lands, under the  
15619 direction of the Secretary of the Interior, and that the amount  
15620 of said valuation shall be paid the Delawares.

15621       ARTICLE 7. In consideration of the long and faithful ser-  
15622 vices of the chiefs of the Delaware Nation, and of their inter-  
15623 preter, who is also a member of the nation, it is further agreed

15624 that the said chiefs and interpreter shall have allotted to each  
 15625 a tract of land, to be selected by themselves, and shall receive  
 15626 a patent in fee-simple therefor from the President of the United  
 15627 States, viz: John Connor, principal chief, six hundred and forty  
 15628 acres; Sar-cox-ie, chief of the Turtle band, three hundred and  
 15629 twenty acres; Rock-a-to-wha, chief of the Turkey band, three  
 15630 hundred and twenty acres; Ne-con-he-con, chief of the Wolf  
 15631 band, three hundred and twenty acres; and Henry Tiblow, in-  
 15632 terpreter, three hundred and twenty acres; the lines of each  
 15633 tract to conform to the legal subdivisions of survey. It is fur-  
 15634 ther agreed that, from the money as paid the Delaware tribe of  
 15635 Indians, in accordance with article number ten of this treaty  
 15636 the chiefs of said tribe of Indians shall appropriate one thousand  
 15637 five hundred dollars as the annual salary of the councilmen of  
 15638 the said tribe of Indians.

15639 ARTICLE 8. Any stipulation in former treaties inconsistent  
 15640 with those embraced in the foregoing articles shall be of no force  
 15641 or effect.

15642 ARTICLE 9. As these articles are entered into for the sole  
 15643 use and benefit of the Delaware Indians, it is understood that  
 15644 the expenses incident to carrying them into effect shall be de-  
 15645 frayed from the funds of said Indians, held in trust for them by  
 15646 the United States.

15647 ARTICLE 10. The interest accruing to the Delawares under  
 15648 the former treaties, and that which may accrue under this, shall  
 15649 be paid on the first of April and October in each year.

15650 Proclaimed 27th August, 1870.

15651 *Treaty between the United States and the Delaware tribe of Indians,*  
 15652 *concluded July 2, 1861; ratified August 6, 1861.*

15653 ABRAHAM LINCOLN, President of the United States of America,  
 15654 to all and singular to whom these presents shall come,  
 15655 greeting:

15656 Whereas a treaty or agreement was made and concluded at  
 15657 Leavenworth City, Kansas, on the second day of July, one thou-  
 15658 sand eight hundred and sixty-one, between the United States of  
 15659 America and the Delaware tribe of Indians, relative to certain  
 15660 lands of that tribe conveyed to the Leavenworth, Pawnee and  
 15661 Western Railroad Company, and to bonds executed to the  
 15662 United States by the said company for the payment of the said  
 15663 Indians, which treaty or agreement, with the preliminary and in-  
 15664 cidental papers necessary to the full understanding of the same,  
 15665 is in the following words, to wit:

15666 Whereas, by the treaty of May 30, 1860, between the United

15667 States and the Delaware tribe of Indians, it is provided that the  
 15668 surplus lands of said Delawares, not included in their "home  
 15669 reserve," should be surveyed and appraised under direction o  
 15670 the Secretary of the Interior; and that in order to aid in the  
 15671 construction of a railroad near and through their said "home  
 15672 reserve," the Leavenworth, Pawnee and Western Railroad Com-  
 15673 pany of Kansas, duly organized and incorporated under the laws  
 15674 of said Territory, should have the right to purchase such surplus  
 15675 lands at such appraised value—on condition, however, that after  
 15676 paying for said lands, said company should only receive title to  
 15677 one-half of them on completing and equipping, within a reasona-  
 15678 ble time, twenty-five (25) miles of said railroad from Leavenworth  
 15679 City westward; and should only receive title to the remaining  
 15680 half of said lands on completing and equipping said road, within  
 15681 a reasonable time, to the western boundary of the "Delaware  
 15682 Reserve;" and that in case said company should fail to pay for said  
 15683 lands, or, having paid, should forfeit the same, or any part thereof,  
 15684 before receiving title, by failing to construct either the first or  
 15685 the second section of said road within such reasonable time, then  
 15686 the lands so forfeited, or not paid for, should be sold in quanti-  
 15687 ties not exceeding one hundred and sixty (160) acres, at not less  
 15688 than such appraised value; the proceeds of such sale, subject to  
 15689 a certain contingent deduction, to be invested by the President  
 15690 of the United States in "safe and profitable stocks," for the ben-  
 15691 efit of said Delaware Indians; and

15692 Whereas said surplus lands, to the amount of  $223,966\frac{78}{100}$   
 15693 acres, have been duly surveyed and appraised at an aggregate  
 15694 valuation of two hundred and eighty-six thousand seven hun-  
 15695 dred and forty-two and  $\frac{15}{100}$  (\$286,742 $\frac{15}{100}$ ) dollars; and

15696 Whereas the said Leavenworth, Pawnee and Western Rail-  
 15697 road Company has executed, under their corporate seal, and  
 15698 by the hand of Thomas Ewing, jr., their agent, their twenty-nine  
 15699 (29) several bonds, all of even date herewith, and numbered from  
 15700 one to twenty-one inclusive, for sums amounting in the aggregate  
 15701 to \$286,742 $\frac{15}{100}$ , being the amount of the valuation of said surplus  
 15702 lands as above stated, twenty eight (28) of which said bonds are  
 15703 for the sum of ten thousand (\$10,000) dollars each, and one is  
 15704 for the sum of six thousand and seven hundred and forty-two  
 15705 and  $\frac{15}{100}$  (\$6,742 $\frac{15}{100}$ ) dollars, and payable in ten (10) years after  
 15706 their date, at the office of the assistant treasurer of the United  
 15707 States, in the city of New York, to the Commissioner of Indian  
 15708 Affairs of the United States or bearer, with interest at the rate  
 15709 of six per cent. per annum, payable annually at the same place  
 15710 on interest-warrants attached to said bonds, which said bonds  
 15711 have been delivered by said company to Archibald Williams,  
 15712 judge of the United States court for the district of Kansas, and

15713 have been by him received and receipted for as agent of the  
 15714 United States for that purpose specially appointed, in accord-  
 15715 ance with the instructions of the President of the United States  
 15716 of June 10, 1861, hereto attached and made part hereof, and for  
 15717 the consideration and use in said instructions set forth :

15718 Now, therefore, to secure the payment of said bonds and  
 15719 every part thereof, and of all interest to become due thereon,  
 15720 according to the terms thereof, the Leavenworth, Pawnee and  
 15721 Western Railroad Company, by its agent hereto specially author-  
 15722 ized by resolution of the board of directors of said company of  
 15723 April 11, 1861, a certified copy of which said resolution is hereto  
 15724 attached, hereby agrees with the United States, as trustee for  
 15725 said Delaware tribe of Indians, that in case said company shall  
 15726 at any time hereafter neglect or fail to pay the whole or any part  
 15727 of the interest on all or any one of said bonds, or shall neglect or  
 15728 fail to pay the whole or any part of the principal of all or any  
 15729 one of said bonds, when any such payment, either of principal or  
 15730 of interest, shall become due and payable, then the said railroad  
 15731 company shall be deemed and held to have forfeited all right and  
 15732 title of any kind whatever to the one hundred thousand (100,000)  
 15733 acres of land herein described, to wit :

	Description.	Section.	Township.	Range.	Meridian. P. M.
15734					
15735	Southeast quarter .....	2	10	17 E.	6th.
15736	Section .....	12	10	17 E.	6th.
15737	West half .....	13	10	17 E.	6th.
15738	East half .....	14	10	17 E.	6th.
15739	Section .....	24	10	17 E.	6th.
15740	West half .....	25	10	17 E.	6th.
15741	Section .....	36	10	17 E.	6th.
15742	South half .....	3	10	18 E.	6th.
15743	South half .....	4	10	18 E.	6th.
15744	Section .....	9	10	18 E.	6th.
15745	South half .....	25	10	19 E.	6th.
15746	Section .....	26	10	19 E.	6th.
15747	Section .....	28	10	19 E.	6th.
15748	West half .....	30	10	19 E.	6th.
15749	Section .....	32	10	19 E.	6th.
15750	Section .....	34	10	19 E.	6th.
15751	Section .....	36	10	19 E.	6th.
15752	South half .....	2	10	20 E.	6th.
15753	South half .....	4	10	20 E.	6th.
15754	S. W. quarter .....	5	10	20 E.	6th.
15755	East half .....	19	10	18 E.	6th.
15756	East half .....	24	10	18 E.	6th.
15757	North half .....	25	10	18 E.	6th.
15758	East half .....	26	10	18 E.	6th.

	Description.	Section.	Township.	Range.	Meridian, P. M.
15759					
15760	West half .....	28	10	18 E.	6th.
15761	East half .....	30	10	18 E.	6th.
15762	West half .....	32	10	18 E.	6th.
15763	Section .....	35	10	18 E.	6th.
15764	South half.....	1	10	19 E.	6th.
15765	South half.....	3	10	19 E.	6th.
15766	South half.....	5	10	19 E.	6th.
15767	East half.....	7	10	19 E.	6th.
15768	Section .....	9	10	19 E.	6th.
15769	Section .....	11	10	19 E.	6th.
15770	Section .....	13	10	19 E.	6th.
15771	Section .....	15	10	19 E.	6th.
15772	Section .....	17	10	19 E.	6th.
15773	East half.....	19	10	19 E.	6th.
15774	West half.....	20	10	19 E.	6th.
15775	Section .....	22	10	19 E.	6th.
15776	East half.....	23	10	19 E.	6th.
15777	Section .....	24	10	19 E.	6th.
15778	S. E. quarter .....	6	10	20 E.	6th.
15779	Section .....	8	10	20 E.	6th.
15780	Section .....	10	10	20 E.	6th.
15781	Section .....	12	10	20 E.	6th.
15782	Section .....	14	10	20 E.	6th.
15783	West half.....	15	10	20 E.	6th.
15784	Section .....	17	10	20 E.	6th.
15785	East half.....	19	10	20 E.	6th.
15786	East half.....	20	10	20 E.	6th.
15787	West half.....	21	10	20 E.	6th.
15788	Section .....	22	10	20 E.	6th.
15789	Section .....	24	10	20 E.	6th.
15790	Section.....	26	10	20 E.	6th.
15791	Section.....	28	10	20 E.	6th.
15792	Section.....	30	10	20 E.	6th.
15793	Section.....	32	10	20 E.	6th.
15794	Section.....	34	10	20 E.	6th.
15795	Section .....	36	10	20 E.	6th.
15796	Section.....	8	10	21 E.	6th.
15797	Section.....	10	10	21 E.	6th.
15798	Section.....	12	10	21 E.	6th.
15799	Section.....	13	10	21 E.	6th.
15800	Section .....	15	10	21 E.	6th.
15801	Section.....	17	10	21 E.	6th.
15802	Section.....	19	10	21 E.	6th.
15803	Section.....	21	10	21 E.	6th.
15804	Section.....	23	10	21 E.	6th.

	Description.	Section.	Township.	Range.	Meridian. P. M.
15805					
15806	Section.....	25	10	21 E.	6th.
15807	Section.....	27	10	21 E.	6th.
15808	Section.....	29	10	21 E.	6th.
15809	Section.....	31	10	21 E.	6th.
15810	Section.....	33	10	21 E.	6th.
15811	Section.....	35	10	21 E.	6th.
15812	Section.....	7	10	22 E.	6th.
15813	Section.....	9	10	22 E.	6th.
15814	Section.....	11	10	22 E.	6th.
15815	Section.....	13	10	22 E.	6th.
15816	Section.....	15	10	22 E.	6th.
15817	Section.....	17	10	22 E.	6th.
15818	Section.....	19	10	22 E.	6th.
15819	Section.....	21	10	22 E.	6th.
15820	Section.....	23	10	22 E.	6th.
15821	Section.....	25	10	22 E.	6th.
15822	Section.....	27	10	21 E.	6th.
15823	Section.....	29	10	22 E.	6th.
15824	Section.....	31	10	22 E.	6th.
15825	Section.....	33	10	22 E.	6th.
15826	Section.....	35	10	22 E.	6th.
15827	Section.....	7	10	23 E.	6th.
15828	Section.....	9	10	23 E.	6th.
15829	Section.....	11	10	23 E.	6th.
15830	Section.....	19	10	23 E.	6th.
15831	South half.....	1	11	17 E.	6th.
15832	South half.....	12	11	17 E.	6th.
15833	North half.....	13	11	17 E.	6th.
15834	South half.....	24	11	17 E.	6th.
15835	South half.....	2	11	18 E.	6th.
15836	South half.....	4	11	18 E.	6th.
15837	East half.....	6	11	18 E.	6th.
15838	East half.....	7	11	18 E.	6th.
15839	Section.....	8	11	18 E.	6th.
15840	Section.....	10	11	18 E.	6th.
15841	Section.....	12	11	18 E.	6th.
15842	Section.....	14	11	18 E.	6th.
15843	West half.....	15	11	18 E.	6th.
15844	East half.....	17	11	18 E.	6th.
15845	East half.....	18	11	18 E.	6th.
15846	West half.....	20	11	18 E.	6th.
15847	East half.....	22	11	18 E.	6th.
15848	West half.....	23	11	18 E.	6th.
15849	West half.....	24	11	18 E.	6th.
15850	East half.....	25	11	18 E.	6th.

	Description.	Section.	Township.	Range.	Meridian, P. M.
15851					
15852	South half.....	1	11	19 E.	6th.
15853	South half.....	3	11	19 E.	6th.
15854	South half.....	5	11	19 E.	6th.
15855	East half.....	7	11	19 E.	6th.
15856	Section.....	9	11	19 E.	6th.
15857	Section.....	11	11	19 E.	6th.
15858	Section.....	13	11	19 E.	6th.
15859	Section.....	15	11	19 E.	6th.
15860	Section.....	17	11	19 E.	6th.
15861	East half.....	18	11	19 E.	6th.
15862	East half.....	19	11	19 E.	6th.
15863	Section.....	21	11	19 E.	6th.
15864	Section.....	23	11	19 E.	6th.
15865	Section.....	25	11	19 E.	6th.
15866	East half.....	24	11	19 E.	6th.
15867	Section.....	27	11	19 E.	6th.
15868	Section.....	29	11	19 E.	6th.
15869	East half.....	30	11	19 E.	6th.
15870	East half.....	33	11	19 E.	6th.
15871	West half.....	34	11	19 E.	6th.
15872	North half.....	35	11	19 E.	6th.
15873	Section.....	36	11	19 E.	6th.
15874	South half.....	1	11	20 E.	6th.
15875	South half.....	2	11	20 E.	6th.
15876	South half.....	3	11	20 E.	6th.
15877	South half.....	4	11	20 E.	6th.
15878	East half.....	7	11	20 E.	6th.
15879	South half.....	8	11	20 E.	6th.
15880	South half.....	9	11	20 E.	6th.
15881	N. W. quarter.....	13	11	20 E.	6th.
15882	S. W. quarter.....	15	11	20 E.	6th.
15883	North half.....	17	11	20 E.	6th.
15884	East half.....	18	11	20 E.	6th.
15885	East half.....	19	11	20 E.	6th.
15886	North half.....	20	11	20 E.	6th.
15887	West half.....	21	11	20 E.	6th.
15888	East half.....	22	11	20 E.	6th.
15889	South half.....	23	11	20 E.	6th.
15890	South half.....	24	11	20 E.	6th.
15891	Section.....	25	11	20 E.	6th.
15892	South half.....	26	11	20 E.	6th.
15893	East half.....	27	11	20 E.	6th.
15894	East half.....	33	11	20 E.	6th.
15895	Section.....	34	11	20 E.	6th.
15896	Section.....	36	11	20 E.	6th.

	Description.	Section.	Township.	Range.	Meridian. P. M.
15897					
15898	South half.....	1	11	21 E.	6th.
15899	South half.....	3	11	21 E.	6th.
15900	South half.....	5	11	21 E.	6th.
15901	East half.....	7	11	21 E.	6th.
15902	Section.....	8	11	21 E.	6th.
15903	Section.....	10	11	21 E.	6th.
15904	Section.....	12	11	21 E.	6th.
15905	South half.....	13	11	21 E.	6th.
15906	Section.....	14	11	21 E.	6th.
15907	West half.....	15	11	21 E.	6th.
15908	Section.....	17	11	21 E.	6th.
15909	East half.....	18	11	21 E.	6th.
15910	East half.....	19	11	21 E.	6th.
15911	East half.....	20	11	21 E.	6th.
15912	West half.....	21	11	21 E.	6th.
15913	Section.....	22	11	21 E.	6th.
15914	South half.....	27	11	21 E.	6th.
15915	Section.....	28	11	21 E.	6th.
15916	West half.....	29	11	21 E.	6th.
15917	East half.....	30	11	21 E.	6th.
15918	East half.....	31	11	21 E.	6th.
15919	Section.....	32	11	21 E.	6th.
15920	Section.....	34	11	21 E.	6th.
15921	Section.....	3	11	22 E.	6th.
15922	Section.....	5	11	22 E.	6th.
15923	East half.....	7	11	22 E.	6th.
15924	West half.....	8	11	22 E.	6th.
15925	Section.....	9	11	22 E.	6th.
15926	Section.....	15	11	22 E.	6th.
15927	Section.....	17	11	22 E.	6th.
15928	East half.....	18	11	22 E.	6th.
15929	Section.....	1	12	19 E.	6th.
15930	East half.....	2	12	19 E.	6th.
15931	South half.....	12	12	19 E.	6th.
15932	N. E. quarter.....	13	12	19 E.	6th.
15933	Section.....	1	12	20 E.	6th.
15934	Section.....	3	12	20 E.	6th.
15935	Section.....	5	12	20 E.	6th.
15936	East half.....	6	12	20 E.	6th.
15937	East half.....	7	12	20 E.	6th.
15938	Section.....	9	12	20 E.	6th.
15939	Section.....	11	12	20 E.	6th.
15940	Section.....	12	12	20 E.	6th.
15941	Section.....	14	12	20 E.	6th.
15942	East half.....	15	12	20 E.	6th.

	Description.	Section.	Township.	Range.	Meridian, P. M.
15943					
15944	East half.....	18	12	20 E.	6th.
15945	East half.....	19	12	20 E.	6th.
15946	Section.....	21	12	20 E.	6th.
15947	North half.....	29	12	20 E.	6th.
15948	S. E. quarter.....	21	12	20 E.	6th.
15949	Section.....	16	12	20 E.	6th.

15950 156 $\frac{1}{2}$  sections, or 100,000 acres.

15951 And immediately on such failure, the United States may  
15952 take possession of and sell said lands for the exclusive benefit  
15953 of said Delaware Indians.

15954 And in case said company shall forfeit the one hundred  
15955 thousand (100,000) acres above described, it shall thereupon  
15956 also forfeit all its right and title to all the lands purchased by  
15957 it from said Indians, not earned and patented at the date of such  
15958 forfeiture.

15959 And said company further agree that, on the completion of  
15960 the first section of said road, it shall only be entitled to a patent  
15961 for one-half of the lands not pledged for the payment of said  
15962 bonds; and on the completion of said second section it shall  
15963 have a patent for only the remaining half; and that no patent  
15964 shall issue to it for any of the lands so pledged, until after said  
15965 bonds and the interest-warrants attached shall all and every  
15966 part of them have been fully and promptly paid and cancelled.

15967 In witness whereof, the said Leavenworth, Pawnee and  
15968 Western Railroad Company, by Thomas Ewing, jr., their agent  
15969 aforesaid, have executed this instrument and attached thereto  
15970 the seal of said company, this 2d day of July, 1861.

15971 The Leavenworth, Pawnee and Western Railroad Company,  
15972 by their agent,

15973 [SEAL.] THOMAS EWING, JR.

15974 *State of Kansas, Leavenworth County, ss :*

15975 On this second day of July, A. D. 1861, before me, the un-  
15976 dersigned authority, a notary public in and for the county afore-  
15977 said, in the State aforesaid, personally came Thomas Ewing,  
15978 jr., agent of the Leavenworth, Pawnee and Western Railroad  
15979 Company, to me personally known to be the identical person  
15980 who signed the foregoing instrument of writing, and whose  
15981 name is thereto affixed as grantor, and he acknowledged the  
15982 same to be his own voluntary act and deed.

15983 Witness my hand and notarial seal, this 2d day of July, A.  
15984 D. 1861.

15985 [SEAL.] W. S. VAN DOREN,  
15986 Notary Public, Leavenworth County, Kansas.

15987       At a called meeting of the board of directors of the Leav-  
 15988 enworth, Pawnee and Western Railroad Company, on Monday,  
 15989 July 1st, 1861, at the office of A. J. Isacks, in Leavenworth  
 15990 City, Kansas, was present, Jas. C. Stone, Amos Rees, Thomas  
 15991 Ewing, jr., and Thomas S. Gladding.

15992       *Resolved*, That Thomas Ewing, jr., be authorized and di-  
 15993 rected, as agent of the company, to make, execute, and deliver  
 15994 to Archibald Williams, as agent of the United States, the bonds  
 15995 and interest-warrants of the company for \$286,742<sup>15</sup>/<sub>100</sub>, payable  
 15996 in ten years from their date, with 6 per cent. interest, payable  
 15997 annually, payable to the Commissioner of Indian Affairs, or  
 15998 bearer, at the office of the assistant treasurer of the United  
 15999 States in the city of New York; and also to make and execute  
 16000 to the United States, and cause to be recorded and delivered to  
 16001 said Williams, as such agent, a mortgage of the company on the  
 16002 one hundred thousand acres of Delaware Indian lands, described  
 16003 in the letter of the Commissioner of Indian Affairs to the Sec-  
 16004 retary of the Interior, of May 29th, 1861; such mortgage to con-  
 16005 tain all the conditions prescribed in the paper signed by the  
 16006 President of the United States, of June 10th, 1861, the terms  
 16007 of which are hereby accepted by the company.

16008       I hereby certify that at a meeting of the board of directors  
 16009 of the Leavenworth, Pawnee and Western Railroad Company,  
 16010 held at the office of A. J. Isacks, in the city of Leavenworth, in  
 16011 the State of Kansas, on the 1st day of July, 1861, the foregoing  
 16012 proceedings were had and recorded on the journal of the com-  
 16013 pany; and that the same is a true and correct transcript of the  
 16014 same from the journal of said company.

16015       In testimony whereof I hereunto sign my name and affix  
 16016 the official seal of the company.

16017       [SEAL.]

16018                               THOS. S. GLADDING,  
*Secretary L. P. & W. R. R. Co.*

16019       Whereas, by the treaty of Sarcoxieville, amended by the  
 16020 United States Senate, and finally ratified by the President of  
 16021 the United States on the 22d day of August, 1860, a principal  
 16022 object of both parties was the construction of a certain contem-  
 16023 plated railroad therein named; and to that end the Leavenworth,  
 16024 Pawnee, and Western Railroad Company were to pay into the  
 16025 United States Treasury, in gold or silver coin, a sum of money,  
 16026 afterwards ascertained to be \$286,742.15, as the appraised value  
 16027 of certain lands in Kansas belonging to the Delaware tribe of  
 16028 Indians; which sum of money, after expending a sufficient part  
 16029 of it to enable the Indians to commence agricultural pursuits  
 16030 under favorable circumstances, was to be by the President, for  
 16031 said Indians, invested in safe and profitable stocks; and

16032 Whereas the said railroad company is not able to pay said  
16033 sum of money within time, according to said treaty; and

16034 Whereas the President is of opinion that it is not for the in-  
16035 terest of either party that said object of the treaty shall fail,  
16036 but not knowing what would be the desire of said Indians on  
16037 this point, nor knowing whether any part of said sum would be  
16038 needed to enable the Indians to commence agricultural pursuits  
16039 under favorable circumstances, but supposing it probable that  
16040 no part of it would be so needed, as said Indians now have over  
16041 fifty thousand dollars lying idle in the United States Treasury :  
16042 Therefore,

16043 It is directed by the President that said Railroad Company  
16044 may execute their bonds, with interest-warrants or coupons at-  
16045 tached, according to the forms hereto annexed, the principal of  
16046 which bonds shall amount to the aggregate sum of \$286,742.15,  
16047 and deposit the same with Archibald Williams, of Kansas,  
16048 hereby appointed to receive and receipt for the same, to be by  
16049 him transmitted to the Commissioner of Indian Affairs for the  
16050 use of said Indians; and also shall, in due and proper form, ex-  
16051 ecute a mortgage upon one hundred thousand acres of the land  
16052 contemplated in and by said treaty to aid in the construction of  
16053 said railroad, the said one hundred thousand acres to be the  
16054 lands designated in the letter of the Commissioner of Indian  
16055 Affairs to the Secretary of the Interior, dated May 29, 1861 ;  
16056 said mortgage to be conditioned for the full payment of said  
16057 bonds, both as to interest and principal; and that on any failure  
16058 to pay either when due all right and interest of said railroad  
16059 company in and to said mortgaged land, and also to all such of  
16060 said land not mortgaged as shall not at that time be earned and  
16061 patented according to said treaty, shall be forfeited, and said  
16062 land again become the absolute property of the United States  
16063 in trust for said Indians; and said mortgaged lands to be in no  
16064 event patented to said until said bonds, principal and in-  
16065 terest, shall be fully paid. And upon said bonds being so made  
16066 and deposited, and said mortgage being so executed and duly  
16067 recorded in Leavenworth County, Kansas, all matters, so far as  
16068 not necessarily varied by this arrangement, shall proceed in  
16069 conformity to said treaty, as if the money had been paid by said  
16070 railroad company, and had been invested by the President in  
16071 said railroad bonds: *Provided always*, That this arrangement  
16072 shall be of no effect until Archibald Williams, judge of the  
16073 United States court for the district of Kansas, shall have en-  
16074 dored a certificate upon this paper that he has carefully exam-  
16075 ined the same, and also the bonds and mortgage offered in com-  
16076 pliance with its provisions, and has found that bonds and mort-  
16077 gage do in fact comply with and fulfil said provisions; and also

16078 that he has had before him the chiefs and head-men named in  
 16079 said treaty, as John Connor, Sar-cox-ie, Ne-con-he-con, and  
 16080 Rock-a-to-wha, and has fully explained to them the nature and  
 16081 effect of this departure from the terms of said treaty, and that  
 16082 they freely assented to the same.

16083

ABRAHAM LINCOLN.

16084

JUNE 10, 1861.

16085

*Form of Bond.*

16086

\$10,000.

No. 1.

16087

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May 30, 1860.

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16107

In witness whereof the Leavenworth, Pawnee and Western

16108

16109

Railroad Company, by

16110

[SEAL.]

THOMAS EWING, Jr.,

16111

*Their Agent.*

16112

*Form of Warrant.*

16113

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16115

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16118

The Leavenworth, Pawnee and Western Railroad Company

16119

16120

promises to pay to the Commissioner of Indian Affairs of the

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16122

United States or bearer, on the 14th day of May, 1862, at the

*Their Agent.*

16123 OFFICE OF REGISTER OF DEEDS,

16124 *County of Leavenworth, State of Kansas, ss:*

16125 I, W. S. Van Doren, register of deeds within and for the  
16126 county aforesaid, do hereby certify that the within and forego-  
16127 ing instruments of writing were received by me for record this  
16128 second day of July, A. D. 1861, at 3½ o'clock p. m., and that  
16129 the same are duly recorded in Book P, for recording mortgages,  
16130 at page 230, &c.

16131 In testimony whereof I have hereunto set my hand and of-  
16132 ficial seal of office, the day and year aforesaid.

16133 [SEAL.]

W. S. VAN DOREN,

16134 *Register of Deeds.*

16135 I, Archibald Williams, judge of the United States court for  
16136 the district of Kansas, do hereby certify that I have carefully  
16137 examined the within paper signed by the President of the  
16138 United [States,] and have also examined and approved the  
16139 bonds and mortgage offered by the Leavenworth, Pawnee and  
16140 Western Railroad Company in compliance with its provisions,  
16141 and have accepted said bonds and mortgage, and receipted to  
16142 said company for the same, as agent of the United States, and  
16143 caused said mortgage to be duly recorded in the office of the  
16144 recorder of deeds for Leavenworth County, Kansas.

16145 And I do further certify that I have had before me the  
16146 chiefs and head-men therein named, as John Connor, Sar-cox-ie,  
16147 and Ne-con-he-con, and also James Connor, who was the dele-  
16148 gate at large of said tribe, in making the treaty of 1860, and  
16149 read to them the said paper signed by the President, and fully  
16150 explained to them the nature and effect of the proposition set  
16151 forth in said paper; and that, after they had fully discussed  
16152 the proposition, John Connor, in English, and James Connor,  
16153 Sar-cox-ie, and Ne-con-he-con, through the said John Connor  
16154 and other interpreters, declared that they understood it thor-  
16155 oughly, and each freely assented to the same; and that evidence  
16156 has been presented to me by John Connor and other chiefs of  
16157 said tribe, by which I am satisfied that Rock-a-to-wha died sev-  
16158 eral months ago, and that no chief has been appointed in his  
16159 place.

16160 This treaty shall not be held to apply to any lands not here-  
16161 tofore surveyed and appraised, and not included within the  
16162 limits of said reserve, nor any lands included in any fort or res-  
16163 ervation for military purposes:

16164 If twenty-five miles of said railroad, from Leavenworth  
16165 City westwardly, is not completed and equipped within *five*  
16166 years from the ratification hereof, said company shall thereupon  
16167 forfeit all right, title, and interest, legal and equitable, in and to

16168 all and every part of said lands ; and if the remaining section to  
 16169 the western boundary of the said reserve be not completed and  
 16170 equipped within *three years* from the date fixed for the comple-  
 16171 tion of said first section, said company shall thereupon forfeit  
 16172 all right, title, and interest, legal and equitable, in and to all of  
 16173 said lands not theretofore earned and patented.

16174 In the event of a failure of the said railroad company to  
 16175 pay the annual interest accruing upon the bonds, secured as  
 16176 above, within thirty days after the same falls due at the end of  
 16177 any year, then and in such case the contract included in this  
 16178 treaty shall be rescinded, and shall be of no binding efficacy  
 16179 upon either party thereto.

16180 No part of said lands shall be patented to said railroad  
 16181 company until the money-price for such part shall have been fully  
 16182 paid therefor.

16183 Proclaimed October 4, 1861.

16184 *Treaty between the United States of America and the Delaware*  
 16185 *Tribe of Indians ; concluded July 4, 1866 ; ratification*  
 16186 *advised July 26, 1866.*

16187 ANDREW JOHNSON, President of the United States of America,  
 16188 to all and singular to whom these presents shall come,  
 16189 greeting :

16190 Whereas a treaty was made and concluded at the Delaware  
 16191 Agency, Kansas, on the fourth of July, in the year of our Lord  
 16192 one thousand eight hundred and sixty-six, by and between  
 16193 Thomas Murphy, John G. Pratt, and William H. Watson, com-  
 16194 missioners, on the part of the United States, and Captain John  
 16195 Connor, Captain Sarcoxie, Charles Journeycake, and other  
 16196 chiefs, and councillors of the Delaware tribe of Indians, on the  
 16197 part of said tribe of Indians, and duly authorized thereto by  
 16198 them, which treaty is in the words and figures following, to  
 16199 wit :

16200 Articles of agreement between the United States and the chiefs  
 16201 and councillors of the Delaware Indians, on behalf of said  
 16202 tribe, made at the Delaware Agency, Kansas, on the fourth  
 16203 day of July, eighteen hundred and sixty-six.

16204 Whereas Congress has by law made it the duty of the Pres-  
 16205 ident of the United States to provide by treaty for the removal  
 16206 of the Indian tribes from the State of Kansas ; and

16207 Whereas the Delaware Indians have expressed a wish to  
 16208 remove from their present reservation in said State to the Indian  
 16209 country, located between the States of Kansas and Texas ; and

16210 Whereas the United States have, by treaties negotiated  
 16211 with the Choctaws and Chickasaws, with the Creeks, and with

16212 the Seminoles, Indian tribes residing in said Indian country,  
 16213 acquired the right to locate other Indian tribes within the limits  
 16214 of the same; and

16215 Whereas the Missouri River Railroad Company, a corpora-  
 16216 tion existing in the State of Kansas by the laws thereof—and  
 16217 which company has built a railroad connecting with the Pacific  
 16218 Railroad, from near the mouth of the Kaw River to Leavenworth,  
 16219 in aid of which road the Delawares, by treaty in eighteen hun-  
 16220 dred and sixty-four, agreed to dispose of their lands—has ex-  
 16221 pressed a desire to purchase the present Delaware Indian reser-  
 16222 vation in the said State, in a body, at a fair price :

16223 It is hereby agreed between Thomas Murphy, superintend-  
 16224 ent of Indian affairs, John G. Pratt, agent for the Delawares,  
 16225 and William H. Watson, special commissioner, who are duly ap-  
 16226 pointed to act for the United States; and Captain John Connor,  
 16227 Captain Sarcoxie, and Charles Journeycake, chiefs, and James  
 16228 Ketchum, James Connor, Andrew Miller, and John Sarcoxie,  
 16229 councillors, duly appointed and authorized by said Delaware In-  
 16230 dians to act for them and in their behalf, viz :

16231 ARTICLE 1. That the United States shall secure and cause  
 16232 to be paid to said Indians the full value of all that part of their  
 16233 reservation, with the improvements then existing on the same,  
 16234 heretofore sold to the Leavenworth, Pawnee, and Western Rail-  
 16235 road Company, according to the terms of a treaty ratified August  
 16236 twenty-second, eighteen hundred and sixty, and supplemental  
 16237 treaties, and in accordance with the conditions, restrictions, and  
 16238 limitations thereof.

16239 ARTICLE 2. That the Secretary of the Interior shall be, and  
 16240 he is, authorized to sell to said Missouri River Railroad Company,  
 16241 or to other responsible party or parties, in a body, all the remain-  
 16242 ing part of said reservation, being the lands conveyed to said  
 16243 Delaware Indians in pursuance of the provisions of the supple-  
 16244 mental treaty of September twenty-fourth, eighteen hundred  
 16245 and twenty-nine, and all other lands owned by the said tribe in  
 16246 the State of Kansas not previously disposed of, except as herein-  
 16247 after provided, for a price not less than two dollars and fifty  
 16248 cents per acre, exclusive of improvements.

16249 ARTICLE 3. It shall be the duty of the Secretary of the In-  
 16250 terior to give each of all the adult Delaware Indians who have  
 16251 received their proportion of land in severalty an opportunity, free  
 16252 from all restraint, to elect whether they will dissolve their rela-  
 16253 tions with their tribe and become citizens of the United States;  
 16254 and the lands of all such Indians as may elect so to become  
 16255 citizens, together with those of their minor children, held by  
 16256 them in severalty, shall be reserved from the sale hereinbefore  
 16257 provided for. And the Secretary of the Interior shall cause any

16258 and all improvements made on any of the said lands, the sale of  
 16259 which is provided for, whether held in common or in severalty,  
 16260 to be appraised, and the value thereof added to the price of said  
 16261 lands, to be paid for when payment is made for the lands upon  
 16262 which said improvements exist; and the money received for  
 16263 the improvements on the land of each Indian held in severalty  
 16264 shall be paid to him at any time after its payment to the Secre-  
 16265 tary of the Interior, when the Department shall be notified that  
 16266 said Indian is ready to remove to the Indian country, to provide  
 16267 for his removal to, and to enable him to make improvements on,  
 16268 his new home therein: *Provided*, That whenever it shall be as-  
 16269 certained under the registry above provided for what lands will  
 16270 be vacated, there shall be set apart from the lands held in com-  
 16271 mon, for each child of Delaware blood, born since the allotment  
 16272 of land to said tribe in severalty was made under previous  
 16273 treaties, a quantity of land equal to the amount to which they  
 16274 would have been entitled had they been born before said allotment,  
 16275 provided that selections for children belonging to families whose  
 16276 head may elect to remain may be made from lands which are to  
 16277 be vacated by those who elect to remove: *And provided further*,  
 16278 That in case there shall be improvements upon any heretofore  
 16279 allotted lands, so selected for children of the Delawares, pay-  
 16280 ment shall be made for such improvements, at their appraised  
 16281 value, by the parents or guardians of said children, at the same  
 16282 time as if the said lands had been sold to the railroad company  
 16283 or other parties.

16284 ARTICLE 4. The United States agree to sell to the said  
 16285 Delaware Indians a tract of land ceded to the Government by  
 16286 the Choctaws and Chickasaws, the Creeks, or the Seminoles, or  
 16287 which may be ceded by the Cherokees in the Indian country,  
 16288 to be selected by the Delawares in one body in as compact a  
 16289 form as practicable, so as to contain timber, water, and agricul-  
 16290 tural lands, to contain in the aggregate, if the said Delaware  
 16291 Indians shall so desire, a quantity equal to one hundred and  
 16292 sixty (160) acres for each man, woman, and child who shall re-  
 16293 move to said country, at the price per acre paid by the United  
 16294 States for the said lands, to be paid for by the Delawares out of  
 16295 the proceeds of sales of lands in Kansas, heretofore provided for.  
 16296 The said tract of country shall be set off with clearly and per-  
 16297 manently marked boundaries by the United States; and also  
 16298 surveyed as public lands are surveyed, when the Delaware  
 16299 council shall so request, when the same may, in whole or in  
 16300 part, be allotted by said council to each member of said tribe  
 16301 residing in said country, said allotment being subject to the  
 16302 approval of the Secretary of the Interior.

16303 ARTICLE 5. The United States guarantee to the said Dela-

16304 wares peaceable possession of their new home herein provided  
 16305 to be selected for them in the Indian country, and protection  
 16306 from hostile Indians and internal strife and civil war, and a  
 16307 full and just participation in any general council or territorial  
 16308 government that may be established for the nations and tribes  
 16309 residing in said Indian country.

16310 ARTICLE 6. It is agreed that the proceeds of the sale of the  
 16311 Delaware lands herein provided for shall be paid to said Indians  
 16312 in the manner following, to wit: Whenever the Department of  
 16313 the Interior shall be notified by the council, through the agent,  
 16314 that any of the Delawares who hold land in severalty are ready  
 16315 to remove, at the same time describing their allotments, there  
 16316 shall be paid to each such person the value of his allotment,  
 16317 and that of his family, to enable him to remove to and improve  
 16318 his new home, provided the money for the said allotment shall  
 16319 have been paid to the Secretary of the Interior; and while said  
 16320 money, or any part thereof, shall remain in the Treasury of the  
 16321 United States, the Delawares shall be entitled to receive interest  
 16322 on the amount so retained, at the rate of five (5) per cent. per  
 16323 annum. And the residue of the proceeds of the sale of the Del-  
 16324 aware lands, being those which have not been allotted, or which  
 16325 have once been allotted, but have been abandoned by the allot-  
 16326 tees, shall be added to the general fund of the Delawares, in-  
 16327 terest thereon to be paid to the Indians in the same manner as  
 16328 is now provided in regard to that fund.

16329 ARTICLE 7. Within thirty days after the ratification of  
 16330 this treaty it shall be the duty of the Secretary of the Interior  
 16331 to give the said Missouri River Railroad Company notice that  
 16332 he is authorized to contract with them or other responsible  
 16333 party or parties for the sale of said lands on the terms specified  
 16334 in this treaty, indicating the approximate quantity thereof;  
 16335 and within twenty days after receiving said notice at their  
 16336 usual place of doing business in the State of Kansas it shall be  
 16337 competent for said company to elect to make the purchase, by  
 16338 filing with the said secretary their bond, with approved secur-  
 16339 ity, in double the amount proposed to be paid by them for the  
 16340 whole of said lands, guaranteeing that they will purchase all of  
 16341 the lands to be sold under the provisions of this treaty, and  
 16342 that they will pay for them in accordance with the terms there-  
 16343 of. And upon the filing of a satisfactory bond as above pro-  
 16344 vided by said company, the contract for such purchase shall be  
 16345 concluded by the said secretary with said Missouri River Rail-  
 16346 road Company, at not less than two dollars and fifty cents per  
 16347 acre for the whole of the lands herein provided to be sold: *Pro-*  
 16348 *vided, however,* That if said railroad company shall not within  
 16349 the twenty days above limited file its bond for the purchase as

16350 herein prescribed, the Secretary of the Interior may at the ex-  
 16351 piration of that time accept any offer for the whole of said lands  
 16352 in one body, at not less than two dollars and fifty cents per  
 16353 acre, from any other responsible parties; but no offer shall be  
 16354 considered from other parties than said Missouri River Railroad  
 16355 Company, unless accompanied by a certificate of deposit in the  
 16356 First National Bank of the city of Washington, D. C., to the  
 16357 credit of the said secretary, for an amount equal to ten per  
 16358 cent. of the aggregate value of the land at the price proposed,  
 16359 to be forfeited for the use of the Delawares if the sale should  
 16360 be awarded to said person or corporation so proposing to pur-  
 16361 chase the lands, and said party should fail to make payment as  
 16362 hereinafter provided.

16363       ARTICLE 8. That within sixty days after the sale of said  
 16364 land shall have been effected, the purchaser shall pay to the said  
 16365 Secretary, in trust for the Delawares, the stipulated price of said  
 16366 unallotted lands, with the appraised value of improvements there-  
 16367 on, excepting therefrom the mill reservation and the quarter sec-  
 16368 tions upon which the council-house and blacksmith-shops are  
 16369 built, the use of which shall be retained until the final removal  
 16370 of the Delawares, and for which payment shall not be required .  
 16371 from the purchaser until possession is delivered, and from time  
 16372 to time thereafter as often as the Secretary of the Interior shall  
 16373 notify the said purchaser that ten thousand acres or more of said  
 16374 lands have been vacated by said Indians within three months  
 16375 thereafter, said purchaser shall pay to the Secretary of the In-  
 16376 terior, in trust for the said Indians, the stipulated price for said  
 16377 lands, with the appraised value of the improvements, and so on,  
 16378 until all are paid for, according to the true intent and meaning  
 16379 hereof; and as said lands shall be paid for, patents therefor, con-  
 16380 veying the same in fee-simple, shall be from time to time issued  
 16381 to said purchaser, or to his or its assigns, by the President of the  
 16382 United States.

16383       ARTICLE 9. It is also stipulated that the Secretary of the  
 16384 Interior shall cause a registry to be made of the names of all  
 16385 of said Delawares who have elected to dissolve their tribal re-  
 16386 lations and to become citizens of the United States, as provided  
 16387 in this treaty, with the names, ages, and sex of the members of  
 16388 the family of each of said Delawares, and present a certified  
 16389 copy of the same to the judge of the district court of the United  
 16390 States for the district of Kansas, and cause a copy to be filed in  
 16391 the office of the Commissioner of Indian Affairs, after which any  
 16392 of said Delawares, being adults, may appear before the said  
 16393 judge in open court, and make the same proof and take the same  
 16394 oath of allegiance as is provided by law for the naturalization of  
 16395 aliens, and also make proof, to the satisfaction of said court, that

16396 he is sufficiently intelligent and prudent to control his own affairs  
 16397 and interests, that he has adopted the habits of civilized life, and  
 16398 has been able to support, for at least five years, himself and fam-  
 16399 ily, when he shall receive a certificate of the same under the seal  
 16400 of the said court; and on the filing of the said certificate in the  
 16401 office of the Commissioner of Indian Affairs, the said Delaware  
 16402 Indian shall be constituted a citizen of the United States, and  
 16403 be entitled to receive a patent, in fee-simple, with power of alien-  
 16404 ation, for the land heretofore allotted him, and his just propor-  
 16405 tion, in cash or in bonds, of the cash value of the credits of said  
 16406 tribe, principal and interest, then held in trust by the United  
 16407 States, and also, as the same may be received, his proportion of  
 16408 the proceeds of the sale of lands under the provisions of this  
 16409 treaty, when he shall cease to be a member of said tribe. Where-  
 16410 upon all of the minor children of those who have become citi-  
 16411 zens shall be construed to have elected to sever their connection  
 16412 with said tribe for the time being, and be entitled to their just  
 16413 proportion of the annuities of the tribe, to be paid to the head  
 16414 of the family, to be expended for their support and education  
 16415 until they shall attain the age of twenty-one years, after which  
 16416 each shall elect to remove to his tribe, or to become a citizen of  
 16417 the United States, as hereinbefore provided, and if thus admitted  
 16418 to citizenship, shall be entitled to all the privileges and interests  
 16419 herein provided for the head of the family. Should any minor  
 16420 as aforesaid, arriving at the age of twenty-one years, and elect-  
 16421 ing to become a citizen of the United States, or any adult In-  
 16422 dian having so elected, fail to be admitted, he shall not be com-  
 16423 pelled to remove, but the Secretary of the Interior shall provide  
 16424 proper guardianship for the protection of his rights and interests  
 16425 and those of his family. There shall be granted to each of the  
 16426 Delawares who have thus become citizens a patent, in fee-simple,  
 16427 for the lands heretofore allotted to them, and, if they do not re-  
 16428 move with the nation, their *pro rata* share of all annuities and  
 16429 trust-property held by the United States for them, the division  
 16430 to be made under the direction of the President of the United  
 16431 States, after which such persons shall cease to be members of  
 16432 the Delaware tribe, and shall not further participate in their  
 16433 councils, nor share in their property or annuities.

16434 ARTICLE 10. It is further agreed that the funds of the Del-  
 16435 awares shall never be applied by the Government to the pay-  
 16436 ment of the debt or debts of any individual member or members  
 16437 of the nation; nor shall any person be licensed to trade with the  
 16438 Delawares without the consent of the chiefs and council; and  
 16439 the salaries of the chiefs shall henceforward be four hundred  
 16440 dollars per annum.

16441 ARTICLE 11. The Delawares acknowledge their dependence

16442 upon the United States, and again renew their pledges of devo-  
 16443 tion to the Government thereof, and ask its protection; and the  
 16444 United States agree to protect, preserve, and defend them in all  
 16445 their just rights.

16446 ARTICLE 12. It is also agreed that if the said Secretary should  
 16447 not be able to sell the said lands as hereinbefore provided, he  
 16448 may cause the same to be appraised, in separate tracts, at their  
 16449 fair cash value, no tract to be valued at less than two dollars and  
 16450 fifty cents per acre, and the same, when appraised, may be sold  
 16451 at not less than the appraised value, and for as much more as  
 16452 the same will bring, and the money arising from the sale to be  
 16453 applied and distributed as hereinbefore provided.

16454 ARTICLE 13. It is agreed by the Delawares that railroad  
 16455 companies engaged in building roads whose routes shall lie  
 16456 through their new reservation in the Indian country shall have  
 16457 a right of way through and over said lands, not exceeding two  
 16458 hundred feet in width for any such road, and also the right to  
 16459 enter on all lands and take and use such gravel, stone, and other  
 16460 material, except timber, as may be necessary for the construction  
 16461 of such roads, compensation to be made for any damages done  
 16462 in obtaining such material, and for any damages arising from  
 16463 the location or running of such roads to improvements which  
 16464 shall have been made before such road shall have been located,  
 16465 such damages to be ascertained under regulations to be pre-  
 16466 scribed by the Secretary of the Interior.

16467 ARTICLE 14. The United States further agree that, in accord-  
 16468 ance with the general provisions of the sixth article of the Del-  
 16469 aware treaty of May thirty, eighteen hundred and sixty, which  
 16470 have not yet been fulfilled, there shall be credited to the Dela-  
 16471 wares, in the purchase of their new reservation in the Indian  
 16472 country, the sum of thirty thousand dollars, which credit by the  
 16473 United States shall be received by the Delawares as a full settle-  
 16474 ment of all claims against the Government for depredations  
 16475 upon timber to the date of the signing of this treaty; and the  
 16476 Delawares shall receive, without cost, from the United States,  
 16477 land included within their new reservation to the amount of  
 16478 twenty-three sections, in place of the twenty-three sections of  
 16479 half-breed Kaw lands referred to in said sixth section of the  
 16480 treaty of eighteen hundred and sixty; and inasmuch as the Del-  
 16481 awares claim that a large amount of stock has been stolen from  
 16482 them by whites since the treaty of eighteen hundred and fifty-  
 16483 four, the United States agree to have a careful examination of  
 16484 such claims made, under the direction of the Secretary of the  
 16485 Interior, and when the value of such stolen stock shall have  
 16486 been ascertained, the same shall be reported to Congress, with a  
 16487 recommendation for an appropriation to pay for the same; and

16488 all moneys appropriated for such purpose shall be paid to the  
16489 owners of said stock.

16490 ARTICLE 15. It is also agreed by the contracting parties  
16491 that nothing contained in this treaty shall be so construed as to  
16492 require the Delawares to remove from their present homes until  
16493 after they shall have selected and received title to lands for new  
16494 homes elsewhere.

16495 Proclaimed August 4, 1866.

16496 DELAWARES — BAND ON THE SANDUSKY RIVER,  
16497 OHIO.

16498 *Articles of agreement made between John M'Elcain, thereto specially*  
16499 *authorized by the President of the United States, and the band*  
16500 *of Delaware Indians upon the Sandusky River, in the State of*  
16501 *Ohio, for the cession of a certain reservation of land in the*  
16502 *said State.*

16503 ARTICLE 1. The said band of Delaware Indians cede to the  
16504 United States the tract of three miles square adjoining the Wy-  
16505 andot reservation upon the Sandusky River, reserved for their  
16506 use by the treaty of the Rapids of the Maumee, concluded  
16507 between the United States and the Wyandots, Seneca, Dela-  
16508 ware, Shawanees, Potawatamies, Ottawas, and Chippewa tribes  
16509 of Indians, on the twenty-ninth day of September, in the year  
16510 of our Lord one thousand eight hundred and seventeen, and the  
16511 said tribe of Delawares engage to remove to and join their nation  
16512 on the west side of the Mississippi, on the land allotted to them,  
16513 on or before the first day of January next, at which time peace-  
16514 able possession of said reservation is to be given to the United  
16515 States.

16516 ARTICLE 2. In consideration of the stipulations aforesaid,  
16517 it is agreed that the United States shall pay to the said band  
16518 the sum of three thousand dollars; two thousand dollars in hand,  
16519 the receipt of which is hereby acknowledged by the undersigned  
16520 chiefs of said tribe, and the remaining balance of one thousand  
16521 dollars to be appropriated to the purchase of horses, clothing,  
16522 provisions, and other useful articles, to aid them on their journey  
16523 so soon as they are prepared to remove.

16524 Proclaimed January 2, 1820.

## 16525 DELAWARES, SHAWANOES, PUTTAWATTIMIES, ETC.

16526 *Articles of a treaty between the United States of America and the*  
 16527 *Delawares, Shawanoes, Putawattimies, Miamies, Eel River,*  
 16528 *Weeas, Kickapoos, Piankashaws, and Kaskaskias Nations of*  
 16529 *Indians.*

16530 Articles of a treaty made at Fort Wayne, on the Miami of the  
 16531 Lake, between William Henry Harrison, governor of the  
 16532 Indiana Territory, superintendent of Indian affairs and com-  
 16533 missioner plenipotentiary of the United States for conclud-  
 16534 ing any treaty or treaties which may be found necessary  
 16535 with any of the Indian tribes northwest of the Ohio, of the  
 16536 one part, and the tribes of Indians called the Delawares,  
 16537 Shawanoes, Putawattimies, Miamies, and Kickapoos, by their  
 16538 chiefs and head warriors, and those of the Eel River, Weeas,  
 16539 Piankashaws, and Kaskaskias, by their agents and repre-  
 16540 sentatives Tuthinipee, Winnemac, Richerville, and Little  
 16541 Turtle, (who are properly authorized by the said tribes,) of  
 16542 the other part.

16543 ARTICLE 1. Whereas it is declared by the fourth article of  
 16544 the treaty of Greenville that the United States reserve for their  
 16545 use the post of St. Vincennes and all the lands adjacent to  
 16546 which the Indian titles had been extinguished; and whereas  
 16547 it has been found difficult to determine the precise limits of the  
 16548 said tract as held by the French and British governments:  
 16549 It is hereby agreed that the boundaries of the said tract shall  
 16550 be as follow: Beginning at Point Coupee on the Wabash, and  
 16551 running thence by a line north seventy-eight degrees, west  
 16552 twelve miles, thence by a line parallel to the general course of  
 16553 the Wabash, until it shall be intersected by a line at right  
 16554 angles to the same, passing through the mouth of White River,  
 16555 thence by the last-mentioned line across the Wabash and  
 16556 towards the Ohio seventy-two miles, thence by a line north  
 16557 twelve degrees west, until it shall be intersected by a line at  
 16558 right angles to the same, passing through Point Coupee, and by  
 16559 the last-mentioned line to the place of beginning.

16560 ARTICLE 2. The United States hereby relinquish all claim  
 16561 which they may have had to any lands adjoining to or in the  
 16562 neighbourhood of the tract above described.

16563 ARTICLE 3. As a mark of their regard and attachment to  
 16564 the United States, whom they acknowledge for their only friends  
 16565 and protectors, and for the consideration hereinafter mentioned,  
 16566 the said tribes do hereby relinquish and cede to the United  
 16567 States the great salt spring upon the Saline Creek which falls

16568 into the Ohio below the mouth of the Wabash, with a quantity  
 16569 of land surrounding it, not exceeding four miles square, and  
 16570 which may be laid off in a square or oblong as the one or the  
 16571 other may be found most convenient to the United States. And  
 16572 the said United States being desirous that the Indian tribes  
 16573 should participate in the benefits to be derived from the said  
 16574 spring, hereby engage to deliver yearly and every year, for the  
 16575 use of the said Indians, a quantity of salt not exceeding one hun-  
 16576 dred and fifty bushels, and which shall be divided among the  
 16577 several tribes in such manner as the general council of the chiefs  
 16578 may determine.

16579 ARTICLE 4. For the considerations before mentioned and  
 16580 for the convenience which the said tribes will themselves de-  
 16581 rive from such establishments, it is hereby agreed that as soon  
 16582 as the tribes called the Kickapoos, Eel River, Weeas, Pianka-  
 16583 shaws, and Kaskaskias shall give their consent to the measure,  
 16584 the United States shall have the right of locating three tracts  
 16585 of land (of such size as may be agreed upon with the last-men-  
 16586 tioned tribes) on the main road between Vincennes and Kaskas-  
 16587 kias, and one other between Vincennes and Clarksville, for the  
 16588 purpose of erecting houses of entertainment for the accommo-  
 16589 dation of travellers. But it is expressly understood that if the  
 16590 said locations are made on any of the rivers which cross the said  
 16591 road, and ferries should be established on the same, that in  
 16592 times of high water any Indian or Indians belonging to either of  
 16593 the tribes who are parties to this treaty shall have the privilege  
 16594 of crossing such ferry toll free.

16595 ARTICLE 5. Whereas there is reason to believe that if the  
 16596 boundary-lines of the tract described in the first article should  
 16597 be run in the manner therein directed, that some of the settle-  
 16598 ments and locations of land made by the citizens of the United  
 16599 States will fall in the Indian country, It is hereby agreed that  
 16600 such alterations shall be made in the direction of these lines as  
 16601 will include them ; and a quantity of land equal in quantity to  
 16602 what may be thus taken shall be given to the said tribes either  
 16603 at the east or west end of the tract.

16604 Proclaimed December 26, 1803.

16605 DELAWARES, POTTAWATIMIES, MIAMES, EEL RIVER  
 16606 AND WEAS.

16607 *A treaty between the United States of America and the tribes of*  
 16608 *Indians called the Delawares, Pottawatimies, Miames, Eel*  
 16609 *River, and Weas.*

16610 Articles of a treaty made and entered into, at Grouseland, near  
 16611 Vincennes, in the Indiana Territory, by and between William

16612 Henry Harrison, governor of said Territory, superintendant  
 16613 of Indian affairs, and commissioner plenipotentiary of the  
 16614 United States for treating with the northwestern tribes of  
 16615 Indians, of the one part, and the tribes of Indians called the  
 16616 Delewares, Putawatimis, Miamis, Eel River, and Weas,  
 16617 jointly and severally, by their chiefs and head-men, of the  
 16618 other part.

16619 ARTICLE 1. Whereas, by the fourth article of a treaty made  
 16620 between the United States and the Delaware tribe, on the eight  
 16621 eenth day of August, eighteen hundred and four, the said United  
 16622 States engaged to consider the said Delewares as the proprietors  
 16623 of all that tract of country which is bounded by the White  
 16624 River on the north, the Ohio and Clark's grant on the south, the  
 16625 general boundary-line running from the mouth of Kentucky  
 16626 River on the east, and the tract ceded by the treaty of Fort  
 16627 Wayne, and the road leading to Clark's grant, on the west and  
 16628 southwest. And whereas the Miami tribes, from whom the Del-  
 16629 awares derived their claim, contend that in their cession of said  
 16630 tract to the Delewares, it was never their intention to convey to  
 16631 them the right of the soil, but to suffer them to occupy it as long  
 16632 as they thought proper, the said Delewares have, for the sake of  
 16633 peace and good neighbourhood, determined to relinquish their  
 16634 claim to the said tract, and do by these presents release the  
 16635 United States from the guarantee made in the before-mentioned  
 16636 article of the treaty of August, eighteen hundred and four.

16637 ARTICLE 2. The said Miami, Eel River, and Wea tribes  
 16638 cede and relinquish to the United States, forever, all that tract  
 16639 of country which lies to the south of a line to be drawn from the  
 16640 northeast corner of the tract ceded by the treaty of Fort Wayne,  
 16641 so as to strike the general boundary-line, running from a point  
 16642 opposite to the mouth of the Kentucky River, to Fort Recovery,  
 16643 at the distance of fifty miles from its commencement on the Ohio  
 16644 River.

16645 ARTICLE 3. In consideration of the cession made in the  
 16646 preceding article, the United States will give an additional per-  
 16647 manent annuity to said Miamis, Eel River, and Wea tribes in  
 16648 the following proportions, viz: to the Miamis, six hundred dol-  
 16649 lars; to the Eel River tribe, two hundred and fifty dollars; to  
 16650 the Weas, two hundred and fifty dollars; and also to the Puta-  
 16651 watemies an additional annuity of five hundred dollars for ten  
 16652 years, and no longer; which, together with the sum of four  
 16653 thousand dollars which is now delivered, the receipt whereof  
 16654 they do hereby acknowledge, is to be considered as a full com-  
 16655 pensation for the land now ceded.

16656 ARTICLE 4. As the tribes which are now called the Miamis,  
 16657 Eel River, and Weas were formerly and still consider themselves

16658 as one nation, and as they have determined that neither of these  
 16659 tribes shall dispose of any part of the country which they hold  
 16660 in common, in order to quiet their minds on that head the  
 16661 United States do hereby engage to consider them as joint owners  
 16662 of all the country on the Wabash and its waters above the Vin-  
 16663 cennes tract, and which has not been ceded to the United States  
 16664 by this or any former treaty ; and they do farther engage that  
 16665 they will not purchase any part of the said country without the  
 16666 consent of each of the said tribes : *Provided always*, That noth-  
 16667 ing in this section contained shall in any manner weaken or de-  
 16668 stroy any claim which the Kickapoos, who are not represented  
 16669 at this treaty, may have to the country they now occupy on the  
 16670 Vermillion River.

16671 ARTICLE 5. The Putawatimies, Miami, Eel River, and Wea  
 16672 tribes explicitly acknowledge the right of the Delawares to sell  
 16673 the tract of land conveyed to the United States by the treaty  
 16674 of the eighteenth day of August, eighteen hundred and four,  
 16675 which tract was given by the Piankashaws to the Delawares about  
 16676 thirty-seven years ago.

16677 ARTICLE 6. The annuities herein stipulated to be paid by  
 16678 the United States shall be delivered in the same manner and  
 16679 under the same conditions as those which the said tribes have  
 16680 heretofore received.

16681 ARTICLE 7. This treaty shall be in force and obligatory on  
 16682 the contracting parties as soon as the same shall have been rati-  
 16683 fied by the President, by and with the advice and consent of  
 16684 the Senate of the United States.

16685

## ADDITIONAL ARTICLE.

16686 It is the intention of the contracting parties that the bound-  
 16687 ary-line herein directed to be run from the northeast corner of  
 16688 the Vincennes tract to the boundary-line running from the  
 16689 mouth of the Kentucky River shall not cross the Embarras or  
 16690 Drift Wood fork of White River, but if it should strike the said  
 16691 fork, such an alteration in the direction of the said line is to be  
 16692 made as will leave the whole of the said fork in the Indian Ter-  
 16693 ritory.

16694 Proclaimed April 24, 1806.

16695 *A treaty between the United States of America and the tribes of*  
 16696 *Indians called the Delawares, Putawatimies, Miamies, and*  
 16697 *Eel River Miamies.*

16698 James Madison, President of the United States, by William  
 16699 Henry Harrison, governor and commander-in-chief of the Indian  
 16700 Territory, superintendent of Indian affairs, and commissioner

16701 plenipotentiary of the United States for treating with the said  
 16702 Indian tribes, and the sachems, head-men, and warriors of the  
 16703 Delaware, Putawatame, Miami, and Eel River tribes of Indians,  
 16704 have agreed and concluded upon the following treaty; which,  
 16705 when ratified by the said President, with the advice and con-  
 16706 sent of the Senate of the United States, shall be binding on  
 16707 said parties.

16708       ARTICLE 1. The Miami and Eel River tribes, and the Del-  
 16709 awares and Putawatimies as their allies, agree to cede to the  
 16710 United States all that tract of country which shall be included  
 16711 between the boundary-line established by the treaty of Fort  
 16712 Wayne, the Wabash, and a line to be drawn from the mouth of  
 16713 a creek called Racoon Creek, emptying into the Wabash on the  
 16714 southeast side, about twelve miles below the mouth of the Ver-  
 16715 million River, so as to strike the boundary-line established by the  
 16716 treaty of Grouseland at such a distance from its commencement  
 16717 at the northeast corner of the Vincennes tract as will leave the  
 16718 tract now ceded thirty miles wide at the narrowest place. And  
 16719 also all that tract which shall be included between the following  
 16720 boundaries, viz: Beginning at Fort Recovery, thence south-  
 16721 wardly along the general boundary-line established by the treaty  
 16722 of Greenville to its intersection with the boundary-line estab-  
 16723 lished by the treaty of Grouseland; thence along said line to a  
 16724 point from which a line drawn parallel to the first-mentioned  
 16725 line will be twelve miles distant from the same, and along the  
 16726 said parallel line to its intersection with a line to be drawn from  
 16727 Fort Recovery parallel to the line established by the said treaty  
 16728 of Grouseland.

16729       ARTICLE 2. The Miamies explicitly acknowledge the equal  
 16730 right of the Delawares with themselves to the country watered  
 16731 by the White River. But it is also to be clearly understood  
 16732 that neither party shall have the right of disposing of the same  
 16733 without the consent of the other; and any improvements which  
 16734 shall be made on the said land by the Delawares, or their friends  
 16735 the Mochecans, shall be theirs forever.

16736       ARTICLE 3. The compensation to be given for the cession  
 16737 made in the first article shall be as follows, viz: to the Dela-  
 16738 wares a permanent annuity of five hundred dollars; to the Mi-  
 16739 amies a like annuity of five hundred dollars; to the Eel River  
 16740 tribe a like annuity of two hundred and fifty dollars; and to the  
 16741 Putawatimies a like annuity of five hundred dollars.

16742       ARTICLE 4. All the stipulations made in the treaty of Green-  
 16743 ville, relatively to the manner of paying the annuities, and the  
 16744 right of the Indians to hunt upon the land, shall apply to the  
 16745 annuities granted and the land ceded by the present treaty.

16746       ARTICLE 5. The consent of the Wea tribe shall be necessary

16747 to complete the title to the first tract of land here ceded; a sep-  
 16748 arate convention shall be entered into between them and the  
 16749 United States, and a reasonable allowance of goods given them  
 16750 in hand, and a permanent annuity, which shall not be less than  
 16751 three hundred dollars, settled upon them.

16752 ARTICLE 6. The annuities promised by the third article,  
 16753 and the goods now delivered to the amount of five thousand two  
 16754 hundred dollars, shall be considered as a full compensation for  
 16755 the cession made in the first article.

16756 ARTICLE 7. The tribes who are parties to this treaty being  
 16757 desirous of putting an end to the depredations which are com-  
 16758 mitted by abandoned individuals of their own color, upon the  
 16759 cattle, horses, &c., of the more industrious and careful, agree to  
 16760 adopt the following regulations, viz: when any theft or other  
 16761 depredation shall be committed by any individual or individuals  
 16762 of one of the tribes above mentioned, upon the property of any  
 16763 individual or individuals of another tribe, the chiefs of the party  
 16764 injured shall make application to the agent of the United States,  
 16765 who is charged with the delivery of the annuities of the tribe to  
 16766 which the offending party belongs, whose duty it shall be to hear  
 16767 the proofs and allegations on either side and determine between  
 16768 them; and the amount of his award shall be immediately deducted  
 16769 from the annuity of the tribe to which the offending party be-  
 16770 longs, and given to the person injured, or to the chief of his  
 16771 village for his use.

16772 ARTICLE 8. The United States agree to relinquish their  
 16773 right to the reservation, at the old Ourectenon towns, made by  
 16774 the treaty of Greenville, so far at least as to make no further  
 16775 use of it than for the establishment of a military post.

16776 ARTICLE 9. The tribes who are parties to this treaty, being  
 16777 desirous to show their attachment to their brothers the Kicka-  
 16778 poos, agree to cede to the United States the lands on the north-  
 16779 west side of the Wabash, from the Vincennes tract to a north-  
 16780 wardly extention of the line running from the mouth of the  
 16781 aforesaid Raccoon Creek, and fifteen miles in width from the  
 16782 Wabash, on condition that the United States shall allow them  
 16783 an annuity of four hundred dollars. But this article is to have  
 16784 no effect unless the Kickapoos will agree to it.

16785 Proclaimed January 16, 1810.

16786 *A separate article entered into at Fort Wayne on the thirtieth day*  
 16787 *of September, in the year of our Lord one thousand eight hun-*  
 16788 *dred and nine, between William Henry Harrison, commissioner*  
 16789 *plenipotentiary of the United States for treating with the In-*  
 16790 *dian tribes, and the sachems and chief warriors of the Miami*

16791 *and Eel River tribes of Indians, which is to be considered as*  
 16792 *forming part of the treaty this day concluded between the United*  
 16793 *States and the said tribes, and their allies, the Delawares and*  
 16794 *Putawcatimies.*

16795 As the greater part of the lands ceded to the United States  
 16796 by the treaty this day concluded was the exclusive property of  
 16797 the Miami Nation, and guaranteed to them by the treaty of  
 16798 Grouseland, it is considered by the said commissioner just and  
 16799 reasonable that their request, to be allowed some further and  
 16800 additional compensation, should be complied with. It is there-  
 16801 fore agreed that the United States shall deliver for their use, in  
 16802 the course of the next spring, at Fort Wayne, domestic animals  
 16803 to the amount of five hundred dollars, and the like number for  
 16804 the two following years, and that an armoree shall be also main-  
 16805 tained at Fort Wayne for the use of the Indians, as heretofore.  
 16806 It is also agreed that if the Kickapoos confirm the ninth article  
 16807 of the treaty to which this is a supplement, the United States  
 16808 will allow to the Meamies a further permanent annuity of two  
 16809 hundred dollars, and to the Wea and Eel River tribes a further  
 16810 annuity of one hundred dollars each.

16811 Proclaimed January 16, 1810.

16812 DELAWARES AND SHAWNOES.

16813 *Articles of a treaty made and entered into at Castor Hill, in the*  
 16814 *county of St. Louis, in the State of Missouri, this twenty-sixth*  
 16815 *day of October, one thousand eight hundred and thirty-two, be-*  
 16816 *tween William Clark, Frank J. Allen, and Nathan Kouns,*  
 16817 *commissioners on the part of the United States, of the one part,*  
 16818 *and the chiefs, warriors, and counsellors of the Shawnoes and*  
 16819 *Delawares, late of Cape Girardeau, in behalf of their respect-*  
 16820 *ive bands, of the other part.*

16821 Whereas parts of the Shawanoe and Delaware Nations of  
 16822 Indians did settle on lands near the town of Cape Girardeau,  
 16823 under a permission from the Spanish government given to said  
 16824 Shawanoes and Delawares by the Baron de Carondelet, dated  
 16825 the fourth day of January, one thousand seven hundred and  
 16826 ninety-three, on which lands the Delawares resided until the  
 16827 year one thousand eight hundred and fifteen, at which period,  
 16828 from various causes, it became necessary for them to remove,  
 16829 leaving their fields and improvements; and

16830 Whereas lands have been assigned to the said tribes by  
 16831 treaties, viz, with the Shawanoes of the seventh November,

16832 one thousand eight hundred and twenty-five, and with the Del-  
 16833 awares of the twenty-fourth September, one thousand eight  
 16834 hundred and twenty-nine, in which last-named treaty no com-  
 16835 pensation was made to the Delawares, late of Cape Girardeau,  
 16836 for their improvements or for their loss of stock, &c., and it be-  
 16837 ing the desire of the United States to indemnify the said Dela-  
 16838 wares for all losses and injuries by them sustained in conse-  
 16839 quence of such removal, the following articles have been agreed  
 16840 upon by the contracting parties :

16841 ARTICLE 1. The Delawares and Shawanoes, late of Cape  
 16842 Girardeau, hereby cede and relinquish to the United States all  
 16843 their lands within the State of Missouri, and also all claims  
 16844 which they may have against the United States for loss of  
 16845 property and for improvements which they have made up to the  
 16846 present time.

16847 ARTICLE 2. In consideration of the foregoing cession and  
 16848 relinquishment the United States agree to the following stipu-  
 16849 lations : There shall be paid and delivered to said Delawares as  
 16850 soon as possible after the ratification of this treaty, horned cat-  
 16851 tle, hogs, and other stock, to the amount of two thousand dol-  
 16852 lars.

16853 For assistance in breaking up ground, and enclosing the  
 16854 same, one thousand dollars.

16855 For pay of a person to attend their mill for five years, and  
 16856 for repairs of the same during the said period, two thousand  
 16857 five hundred dollars.

16858 For support of a school for three years, one thousand five  
 16859 hundred dollars.

16860 ARTICLE 3. There shall be paid to the said Delawares on  
 16861 their lands, in merchandize suited to their wants, at the St.  
 16862 Louis cost prices, after the ratification of this treaty, the sum  
 16863 of five thousand dollars. There shall also be paid them the  
 15864 further sum of twelve thousand dollars, to be placed, at the re-  
 16865 quest of said Indians, in the hands of the superintendent of In-  
 16866 dian affairs at St. Louis, to be by him applied to the payment  
 16867 of debts which the said Delawares have acknowledged to be  
 16868 due by their nation agreeably to a schedule presented in coun-  
 16869 cil, and which sum they wish paid to Menard & Vallé of St.  
 16870 Genevieve, for the benefit of William Gillis and William Mar-  
 16871 shall. The sum of one thousand dollars is also paid them in  
 16872 merchandize and cash, the receipt of which latter sum (of one  
 16873 thousand dollars) is hereby acknowledged.

16874 ARTICLE 4. To enable the Shwanoes who are parties to this  
 16875 treaty to remove immediately all the bands of their tribe who  
 16876 are settled in the Territory of Arkansas to the lands assigned  
 16877 their nation on the Kansas River, the United States will pay

16878 them on the signing of this treaty eight hundred dollars in cash,  
 16879 and four hundred dollars in clothing and horses, the receipt of  
 16880 which sums, amounting to twelve hundred dollars, is hereby  
 16881 acknowledged. And when they shall have removed to their  
 16882 lands, the further sum of five hundred dollars shall be paid them  
 16883 towards the expenses of said removal. The United States will  
 16884 moreover furnish the said Shawanoes with provisions on their  
 16885 land for one year after their removal, which, together with the  
 16886 preceding stipulations, will be considered in full of all their  
 16887 claims and demands against the United States, of whatever  
 16888 nature.

16889 ARTICLE 5. This treaty to be obligatory on the contracting  
 16890 parties when ratified by the President and Senate of the United  
 16891 States.

16892 Proclaimed February 12, 1833.

16893 DWÁMISH, SUQUÁMISH, ETC.

16894 *Treaty between the United States and the Dwámish, Suquámish,*  
 16895 *and other allied and subordinate tribes of Indians in Wash-*  
 16896 *ington Territory; concluded at Point Elliott, Washington*  
 16897 *Territory, January 22, 1855; ratified by the Senate March*  
 16898 *8, 1859.*

16899 JAMES BUCHANAN, President of the United States, to all and  
 16900 singular to whom these presents shall come, greeting:

16901 Whereas a treaty was made and concluded at Múckl-te-óh,  
 16902 or Point Elliott, in the Territory of Washington, the twenty-  
 16903 second day of January, one thousand eight hundred and fifty-  
 16904 five, by Isaac I. Stevens, governor and superintendent of In-  
 16905 dian affairs for the said Territory, on the part of the United  
 16906 States, and the hereinafter-named chiefs, head-men, and dele-  
 16907 gates of the Dwámish, Suquámish, Sk-táhl-mish, Sam-áhmish,  
 16908 Smalh-kahmish, Skope-áhmish, St-káh-mish, Snoquálmoo, Skai-  
 16909 wha-mish, N'Quentl-má-mish, Sk-táh-le-jum, Stoluck-whá-mish,  
 16910 Sno-ho-mish, Skágit, Kik-i-állus, Swin-á-mish, Squin-áh-mish,  
 16911 Sah-ku-méhu, Noo-whá-há, Nook-wa-cháh-mish, Mee-see-qua-  
 16912 guilch, Cho-bah-áh-bish, and other allied and subordinate tribes  
 16913 and bands of Indians occupying certain lands situated in said  
 16914 Territory of Washington, on behalf of said tribes, and duly  
 16915 authorized by them; which treaty is in the words and figures  
 16916 following, to wit:

16917 Articles of agreement and convention made and concluded at  
 16918 Múckl-te-óh, or Point Elliott, in the Territory of Washing-

16919 ton, this twenty-second day of January, eighteen hun-  
 16920 dred and fifty-five, by Isaac I. Stevens, governor and super-  
 16921 intendent of Indian affairs for the said Territory, on the  
 16922 part of the United States, and the undersigned chiefs,  
 16923 head-men, and delegates of the Dwánish, Suquámish, Sk-  
 16924 táhl-mish, Sam-áhmish, Smalh-kamish, Skope-álmish, St-  
 16925 káh-mish, Snoquálmoo, Skai-wha-mish, N'Quentl-má-mish,  
 16926 Sk-táh-le-jum, Stoluck-whá-mish, Sno-ho-mish, Skágít, Kik-  
 16927 i-állus, Swin-á-mish, Squin-áh-mish, Sah-ku-méhu, Noo-whá-  
 16928 há, Nook-wa-cháh-mish, Mee-sée-qua-guilch, Cho-bal-áh-  
 16929 bish, and other allied and subordinate tribes and bands of  
 16930 Indians occupying certain lands situated in said Territory  
 16931 of Washington, on behalf of said tribes, and duly author-  
 16932 ized by them.

16933 ARTICLE 1. The said tribes and bands of Indians hereby  
 16934 cede, relinquish, and convey to the United States all their right,  
 16935 title, and interest in and to the lands and country occupied by  
 16936 them, bounded and described as follows: Commencing at a  
 16937 point on the eastern side of Admiralty Inlet, known as Point  
 16938 Pully, about midway between Commencement and Elliott Bays;  
 16939 thence eastwardly, running along the north line of lands here-  
 16940 tofore ceded to the United States by the Nisqually, Puyallup,  
 16941 and other Indians, to the summit of the Cascade range of moun-  
 16942 tains; thence northwardly, following the summit of said range  
 16943 to the 49th parallel of north latitude; thence west, along said  
 16944 parallel to the middle of the Gulf of Georgia; thence through  
 16945 the middle of said gulf and the main channel through the Canal  
 16946 de Arro to the Straits of Fuca, and crossing the same through  
 16947 the middle of Admiralty Inlet to Suquamish Head; thence  
 16948 southwesterly, through the peninsula, and following the divide  
 16949 between Hood's Canal and Admiralty Inlet to the portage known  
 16950 as Wilkes' Portage; thence northeastwardly, and following the  
 16951 line of lands heretofore ceded as aforesaid to Point Southworth,  
 16952 on the western side of Admiralty Inlet, and thence round the  
 16953 foot of Vashon's Island eastwardly and southeastwardly to the  
 16954 place of beginning, including all the islands comprised within  
 16955 said boundaries, and all the right, title, and interest of the said  
 16956 tribes and bands to any lands within the territory of the United  
 16957 States.

16958 ARTICLE 2. There is, however, reserved for the present use  
 16959 and occupation of the said tribes and bands the following tracts  
 16960 of land, viz: the amount of two sections, or twelve hundred  
 16961 and eighty acres, surrounding the small bight at the head  
 16962 of Port Madison, called by the Indians Noo-sohk-um; the  
 16963 amount of two sections, or twelve hundred and eighty acres,  
 16964 on the north side Hwhómish Bay and the creek emptying

16965 into the same, called Kwilt-seh-da; the peninsula at the  
 16966 southeastern end of Perry's Island, called Sháis-quihl, and  
 16967 the island called Chah-choo-sen, situated in the Lummi River, at  
 16968 the point of separation of the mouths emptying respectively  
 16969 into Bellingham Bay and the Gulf of Georgia. All which tracts  
 16970 shall be set apart, and so far as necessary surveyed and marked  
 16971 out, for their exclusive use; nor shall any white man be permit-  
 16972 ted to reside upon the same without permission of the tribes or  
 16973 bands, and of the superintendent or agent, but, if necessary for  
 16974 the public convenience, roads may be run through the said re-  
 16975 serves, the Indians being compensated for any damage thereby  
 16976 done them.

16977       ARTICLE 3. There is also reserved from out the lands here-  
 16978 by ceded the amount of thirty-six sections, or one township of  
 16979 land, on the northeastern shore of Port Gardner, and north of  
 16980 the mouth of Snohomish River, including Tulalip Bay and the  
 16981 before-mentioned Kwilt-seh-da Creek, for the purpose of estab-  
 16982 lishing thereon an agricultural and industrial school, as herein-  
 16983 after mentioned and agreed, and with a view of ultimately  
 16984 drawing thereto and settling thereon all the Indians living west  
 16985 of the Cascade Mountains in said Territory: *Provided, however,*  
 16986 That the President may establish the central agency and gen-  
 16987 eral reservation at such other point as he may deem for the ben-  
 16988 efit of the Indians.

16989       ARTICLE 4. The said tribes and bands agree to remove to  
 16990 and settle upon the said first above-mentioned reservations with-  
 16991 in one year after the ratification of this treaty, or sooner, if the  
 16992 means are furnished them. In the mean time it shall be lawful  
 16993 for them to reside upon any land not in the actual claim and  
 16994 occupation of citizens of the United States, and upon any land  
 16995 claimed or occupied, if with the permission of the owner.

16996       ARTICLE 5. The right of taking fish at usual and accus-  
 16997 tomed grounds and stations is further secured to said Indians  
 16998 in common with all citizens of the Territory, and of erecting  
 16999 temporary houses for the purpose of curing, together with the  
 17000 privilege of hunting and gathering roots and berries on open  
 17001 and unclaimed lands: *Provided, however,* That they shall not  
 17002 take shell-fish from any beds staked or cultivated by citizens.

17003       ARTICLE 6. In consideration of the above cession, the  
 17004 United States agree to pay to the said tribes and bands the sum  
 17005 of one hundred and fifty thousand dollars, in the following man-  
 17006 ner, that is to say: For the first year after the ratification  
 17007 hereof, fifteen thousand dollars; for the next two years, twelve  
 17008 thousand dollars each year; for the next three years, ten thous-  
 17009 and dollars each year; for the next four years, seven thousand  
 17010 five hundred dollars each year; for the next five years, six

17011 thousand dollars each year; and for the last five years, four  
 17012 thousand two hundred and fifty dollars each year. All which  
 17013 said sums of money shall be applied to the use and benefit of  
 17014 the said Indians, under the direction of the President of the  
 17015 United States, who may, from time to time, determine at his  
 17016 discretion upon what beneficial objects to expend the same; and  
 17017 the superintendent of Indian affairs, or other proper officer,  
 17018 shall each year inform the President of the wishes of said In-  
 17019 dians in respect thereto.

17020       ARTICLE 7. The President may hereafter, when in his opin-  
 17021 ion the interests of the Territory shall require and the welfare  
 17022 of the said Indians be promoted, remove them from either or all  
 17023 of the special reservations hereinbefore made to the said gen-  
 17024 eral reservation, or such other suitable place within said Terri-  
 17025 tory as he may deem fit, on remunerating them for their im-  
 17026 provements and the expenses of such removal, or may consoli-  
 17027 date them with other friendly tribes or bands; and he may  
 17028 further, at his discretion, cause the whole or any portion of the  
 17029 lands hereby reserved, or of such other land as may be selected  
 17030 in lieu thereof, to be surveyed into lots, and assign the same to  
 17031 such individuals or families as are willing to avail themselves of  
 17032 the privilege, and will locate on the same as a permanent home  
 17033 on the same terms and subject to the same regulations as are  
 17034 provided in the sixth article of the treaty with the Omahas, so  
 17035 far as the same may be applicable. Any substantial improve-  
 17036 ments heretofore made by any Indian, and which he shall be  
 17037 compelled to abandon in consequence of this treaty, shall be  
 17038 valued under the direction of the President, and payment  
 17039 made accordingly therefor.

17040       ARTICLE 8. The annuities of the aforesaid tribes and bands  
 17041 shall not be taken to pay the debts of individuals.

17042       ARTICLE 9. The said tribes and bands acknowledge their  
 17043 dependence on the Government of the United States and promise  
 17044 to be friendly with all citizens thereof, and they pledge them-  
 17045 selves to commit no depredations on the property of such citi-  
 17046 zens. Should any one or more of them violate this pledge, and the  
 17047 fact be satisfactorily proven before the agent, the property taken  
 17048 shall be returned, or in default thereof, or if injured or destroyed,  
 17049 compensation may be made by the Government out of their  
 17050 annuities. Nor will they make war on any other tribe except  
 17051 in self-defence, but will submit all matters of difference between  
 17052 them and the other Indians to the Government of the United  
 17053 States or its agent for decision, and abide thereby. And if any  
 17054 of the said Indians commit depredations on other Indians within  
 17055 the Territory, the same rule shall prevail as that prescribed in  
 17056 this article in cases of depredations against citizens. And the

17057 said tribes agree not to shelter or conceal offenders against the  
17058 laws of the United States, but to deliver them up to the author-  
17059 ities for trial.

17060 ARTICLE 10. The above tribes and bands are desirous to  
17061 exclude from their reservations the use of ardent spirits, and to  
17062 prevent their people from drinking the same, and therefore it is  
17063 provided that any Indian belonging to said tribe who is guilty  
17064 of bringing liquor into said reservations, or who drinks liquor,  
17065 may have his or her proportion of the annuities withheld from  
17066 him or her for such time as the President may determine.

17067 ARTICLE 11. The said tribes and bands agree to free all  
17068 slaves now held by them, and not to purchase or acquire others  
17069 hereafter.

17070 ARTICLE 12. The said tribes and bands further agree not  
17071 to trade at Vancouver's Island or elsewhere out of the dominions  
17072 of the United States, nor shall foreign Indians be permitted to  
17073 reside in their reservations without consent of the superintend-  
17074 ent or agent.

17075 ARTICLE 13. To enable the said Indians to remove to and  
17076 settle upon their aforesaid reservations, and to clear, fence, and  
17077 break up a sufficient quantity of land for cultivation, the United  
17078 States further agree to pay the sum of fifteen thousand dollars,  
17079 to be laid out and expended under the direction of the Presi-  
17080 dent, and in such manner as he shall approve.

17081 ARTICLE 14. The United States further agree to establish  
17082 at the general agency for the district of Puget's Sound, within  
17083 one year from the ratification hereof, and to support for a period  
17084 of twenty years, an agricultural and industrial school, to be  
17085 free to children of the said tribes and bands in common with  
17086 those of the other tribes of said district, and to provide the said  
17087 school with a suitable instructor or instructors, and also to pro-  
17088 vide a smithy and carpenter's shop, and furnish them with the  
17089 necessary tools, and employ a blacksmith, carpenter, and farmer  
17090 for the like term of twenty years to instruct the Indians in their  
17091 respective occupations. And the United States finally agree to  
17092 employ a physician, to reside at the said central agency, who  
17093 shall furnish medicine and advice to their sick, and shall vacci-  
17094 nate them; the expenses of said school, shops, persons employed,  
17095 and medical attendance to be defrayed by the United States,  
17096 and not deducted from the annuities.

17097 ARTICLE 15. This treaty shall be obligatory on the con-  
17098 tracting parties as soon as the same shall be ratified by the  
17099 President and Senate of the United States.

17100 Proclaimed April 11, 1859.

17101

## EEL RIVERS, WYANDOTS, ETC.

17102 *At a council holden at Vincennes on the seventh day of August, one*  
 17103 *thousand eight hundred and three, under the direction of Wil-*  
 17104 *liam Henry Harrison, governor of the Indiana Territory,*  
 17105 *superintendent of Indian affairs, and commissioner plenipoten-*  
 17106 *tiary of the United States for concluding any treaty or treaties*  
 17107 *which may be found necessary with any of the Indian nations*  
 17108 *northwest of the river Ohio, at which were present the chiefs*  
 17109 *and warriors of the Eel River, Wyandot, Piankashaw, and*  
 17110 *Kaskaskia Nations, and also the tribe of the Kikapoes, by their*  
 17111 *representatives, the chiefs of the Eel River Nation.*

17112 The fourth article of the treaty holden and concluded at Fort  
 17113 Wayne, on the seventh day of June, (see page 371,) one thousand  
 17114 eight hundred and three, being considered, the chiefs and warriors  
 17115 of the said nations give their free and full consent to the same,  
 17116 and they do hereby relinquish and confirm to the United States  
 17117 the privilege and right of locating three several tracts of land,  
 17118 of one mile square each, on the road leading from Vincennes to  
 17119 Kaskaskia, and also one other tract of land of one mile square  
 17120 on the road leading from Vincennes to Clarksville; which loca-  
 17121 tions shall be made in such places on the aforesaid roads as  
 17122 shall best comport with the convenience and interest of the  
 17123 United States in the establishment of houses of entertainment  
 17124 for the accommodation of travellers.

17125 Proclaimed December 23, 1803.

17126

## FLATHEADS, ETC.

17127 *Treaty between the United States and the Flathead, Kootenay, and*  
 17128 *Upper Pend d'Oreilles Indians, concluded at Hell Gate, in the*  
 17129 *Bitter Root Valley, July 16, 1855; ratified by the Senate*  
 17130 *March 8, 1859.*

17131 JAMES BUCHANAN, President of the United States of America,  
 17132 to all and singular to whom these presents shall come,  
 17133 greeting:

17134 Whereas a treaty was made and concluded at the treaty-  
 17135 ground at Hell Gate, in the Bitter Root Valley, on the sixteenth  
 17136 day of July, eighteen hundred and fifty-five, between Isaac I.  
 17137 Stevens, governor and superintendent of Indian affairs for the  
 17138 Territory of Washington, on the part of the United States, and  
 17139 the hereinafter-named chiefs, head-men, and delegates of the

17140 confederated tribes of the Flathead, Kootenay, and Upper Pend  
 17141 d'Oreilles Indians, on behalf of and acting for said confederated  
 17142 tribes, and duly authorized thereto by them, which treaty is in  
 17143 the words and figures following, to wit :

17144 Articles of agreement and convention made and concluded at  
 17145 the treaty-ground at Hell Gate, in the Bitter Root Valley,  
 17146 this sixteenth day of July, in the year one thousand eight  
 17147 hundred and fifty-five, by and between Isaac I. Stevens,  
 17148 governor and superintendent of Indian affairs for the Terri-  
 17149 tory of Washington, on the part of the United States, and  
 17150 the undersigned chiefs, head-men, and delegates of the con-  
 17151 federated tribes of the Flathead, Kootenay, and Upper  
 17152 Pend d'Oreilles Indians, on behalf of and acting for said  
 17153 confederated tribes, and being duly authorized thereto by  
 17154 them. It being understood and agreed that the said confed-  
 17155 erated tribes do hereby constitute a nation, under the  
 17156 name of the Flathead Nation, with Victor, the head chief  
 17157 of the Flathead tribe, as the head chief of the said nation,  
 17158 and that the several chiefs, head-men, and delegates, whose  
 17159 names are signed to this treaty, do hereby, in behalf of  
 17160 their respective tribes, recognise Victor as said head chief.

17161 ARTICLE 1. The said confederated tribes of Indians hereby  
 17162 cede, relinquish, and convey to the United States all their right,  
 17163 title, and interest in and to the country occupied or claimed by  
 17164 them, bounded and described as follows, to wit :

17165 Commencing on the main ridge of the Rocky Mountains, at  
 17166 the forty-ninth (49th) parallel of latitude; thence westwardly on  
 17167 that parallel to the divide between the Flat-bow or Kootenay  
 17168 River and Clarke's Fork ; thence southerly and southeasterly  
 17169 along said divide to the one hundred and fifteenth degree of  
 17170 longitude, (115°;) thence in a southwesterly direction to the di-  
 17171 vide between the sources of the St. Regis Borgia and the Cœur  
 17172 d'Alene Rivers ; thence southeasterly and southerly along the  
 17173 main ridge of the Bitter Root Mountains to the divide between  
 17174 the head-waters of the Koos-koos-kee River and of the south-  
 17175 western fork of the Bitter Root River ; thence easterly along the  
 17176 divide separating the waters of the several tributaries of the  
 17177 Bitter Root River from the waters flowing into the Salmon and  
 17178 Snake Rivers, to the main ridge of the Rocky Mountains, and  
 17179 thence northerly along said main ridge to the place of begin-  
 17180 ning.

17181 ARTICLE 2. There is, however, reserved from the lands  
 17182 above ceded, for the use and occupation of the said confederated  
 17183 tribes, and as a general Indian reservation, upon which may be  
 17184 placed other friendly tribes and bands of Indians of the Territory  
 17185 of Washington who may agree to be consolidated with the tribes

17186 parties to this treaty, under the common designation of the Flat-  
 17187 head Nation, with Victor, head chief of the Flathead tribe, as  
 17188 the head chief of the nation, the tract of land included within  
 17189 the following boundaries, to wit:

17190 Commencing at the source of the main branch of the Jocko  
 17191 River; thence along the divide separating the waters flowing  
 17192 into the Bitter Root River from those flowing into the Jocko,  
 17193 to a point on Clarke's Fork between the Camash and Horse  
 17194 Prairies; thence northerly to, and along the divide bounding  
 17195 on the west the Flathead River, to a point due west from the  
 17196 point half way in latitude between the northern and southern  
 17197 extremities of the Flathead Lake; thence on a due east course  
 17198 to the divide whence the Crow, the Prune, the So-ni-el-em and  
 17199 the Jocko Rivers take their rise, and thence southerly along said  
 17200 divide to the place of beginning.

17201 All which tract shall be set apart, and, so far as necessary,  
 17202 surveyed and marked out for the exclusive use and benefit of  
 17203 said confederated tribes as an Indian reservation. Nor shall  
 17204 any white man, excepting those in the employment of the In-  
 17205 dian department, be permitted to reside upon the said reserva-  
 17206 tion without permission of the confederated tribes, and the  
 17207 superintendent and agent. And the said confederated tribes  
 17208 agree to remove to and settle upon the same within one year  
 17209 after the ratification of this treaty. In the mean time it shall  
 17210 be lawful for them to reside upon any ground not in the actual  
 17211 claim and occupation of citizens of the United States, and upon  
 17212 any ground claimed or occupied, if with the permission of the  
 17213 owner or claimant.

17214 Guaranteeing, however, the right to all citizens of the United  
 17215 States to enter upon and occupy as settlers any lands not actu-  
 17216 ally occupied and cultivated by said Indians at this time, and  
 17217 not included in the reservation above named. *And provided,*  
 17218 That any substantial improvements heretofore made by any In-  
 17219 dian, such as fields enclosed and cultivated, and houses erected  
 17220 upon the lands hereby ceded, and which he may be compelled  
 17221 to abandon in consequence of this treaty, shall be valued under  
 17222 the direction of the President of the United States, and pay-  
 17223 ment made therefor in money, or improvements of an equal  
 17224 value be made for said Indian upon the reservation; and no In-  
 17225 dian will be required to abandon the improvements aforesaid,  
 17226 now occupied by him, until their value in money or improve-  
 17227 ments of an equal value shall be furnished him as aforesaid.

17228 ARTICLE 3. *And provided,* That, if necessary for the public  
 17229 convenience, roads may be run through the said reservation;  
 17230 and, on the other hand, the right of way, with free access from  
 17231 the same to the nearest public highway, is secured to them, as

17232 also the right in common with citizens of the United States to  
17233 travel upon all public highways.

17234 The exclusive right of taking fish in all the streams running  
17235 through or bordering said reservation is further secured to said  
17236 Indians; as also the right of taking fish at all usual and accus-  
17237 tomed places, in common with citizens of the Territory, and of  
17238 erecting temporary buildings for curing; together with the  
17239 privilege of hunting, gathering roots and berries, and pasturing  
17240 their horses and cattle upon open and unclaimed land.

17241 ARTICLE 4. In consideration of the above cession, the  
17242 United States agree to pay to the said confederated tribes of  
17243 Indians, in addition to the goods and provisions distributed to  
17244 them at the time of signing this treaty, the sum of one hundred  
17245 and twenty thousand dollars, in the following manner, that is to  
17246 say: For the first year after the ratification hereof, thirty-six  
17247 thousand dollars, to be expended, under the direction of the  
17248 President, in providing for their removal to the reservation,  
17249 breaking up and fencing farms, building houses for them, and  
17250 for such other objects as he may deem necessary. For the next  
17251 four years, six thousand dollars each year; for the next five  
17252 years, five thousand dollars each year; for the next five years,  
17253 four thousand dollars each year; and for the next five years,  
17254 three thousand dollars each year.

17255 All which said sums of money shall be applied to the use  
17256 and benefit of the said Indians, under the direction of the Presi-  
17257 dent of the United States, who may from time to time determine  
17258 at his discretion, upon what beneficial objects to expend the same  
17259 for them; and the superintendent of Indian affairs, or other  
17260 proper officer, shall each year inform the President of the wishes  
17261 of the Indians in relation thereto.

17262 ARTICLE 5. The United States further agree to establish, at  
17263 suitable points within said reservation, within one year after the  
17264 ratification hereof, an agricultural and industrial school, erect-  
17265 ing the necessary buildings, keeping the same in repair, and pro-  
17266 viding it with furniture, books, and stationery, to be located at  
17267 the agency, and to be free to the children of the said tribes, and  
17268 to employ a suitable instructor or instructors; to furnish one  
17269 blacksmith shop, to which shall be attached a tin and gun shop;  
17270 one carpenter's shop; one wagon and ploughmaker's shop; and  
17271 to keep the same in repair, and furnished with the necessary  
17272 tools; to employ two farmers, one blacksmith, one tinner, one  
17273 gunsmith, one carpenter, one wagon and plough maker, for the  
17274 instruction of the Indians in trades, and to assist them in the  
17275 same; to erect one saw-mill and one flouring-mill, keeping the  
17276 same in repair, and furnished with the necessary tools and fix-  
17277 tures, and to employ two millers; to erect a hospital, keeping

17278 the same in repair, and provided with the necessary medicines  
 17279 and furniture, and to employ a physician; and to erect, keep in  
 17280 repair, and provide with the necessary furniture, the buildings  
 17281 required for the accommodation of the said employees. The  
 17282 said buildings and establishments to be maintained and kept in  
 17283 repair as aforesaid, and the employees to be kept in service for  
 17284 the period of twenty years.

17285 And in view of the fact that the head chiefs of the said con-  
 17286 federated tribes of Indians are expected and will be called upon  
 17287 to perform many services of a public character, occupying much  
 17288 of their time, the United States further agree to pay to each of  
 17289 the Flathead, Kootenay, and Upper Pend d'Oreilles tribes five  
 17290 hundred dollars per year, for the term of twenty years after the  
 17291 ratification hereof, as a salary for such persons as the said con-  
 17292 federated tribes may select to be their head chiefs, and to build  
 17293 for them, at suitable points on the reservation, a comfortable  
 17294 house, and properly furnish the same, and to plough and fence  
 17295 for each of them ten acres of land. The salary to be paid to,  
 17296 and the said houses to be occupied by, such head chiefs so long  
 17297 as they may be elected to that position by their tribes, and no  
 17298 longer.

17299 And all the expenditures and expenses contemplated in this  
 17300 article of this treaty shall be defrayed by the United States, and  
 17301 shall not be deducted from the annuities agreed to be paid to  
 17302 said tribes. Nor shall the cost of transporting the goods for the  
 17303 annuity payments be a charge upon the annuities, but shall be  
 17304 defrayed by the United States.

17305 ARTICLE 6. The President may from time to time, at his  
 17306 discretion, cause the whole, or such portion of such reservation  
 17307 as he may think proper, to be surveyed into lots, and assign the  
 17308 same to such individuals or families of the said confederated  
 17309 tribes as are willing to avail themselves of the privilege, and  
 17310 will locate on the same as a permanent home, on the same terms  
 17311 and subject to the same regulations as are provided in the sixth  
 17312 article of the treaty with the Omahas, so far as the same may  
 17313 be applicable.

17314 N. B.—The article referred to is contained in the treaty with  
 17315 the Omahas, proclaimed June 21, 1854, and reads as follows:

17316 "ARTICLE 6. The President may from time to time, at his  
 17317 discretion, cause the whole or such portion of the land hereby  
 17318 reserved, as he may think proper, or of such other land as may  
 17319 be selected in lieu thereof, as provided for in article first, to be  
 17320 surveyed into lots, and to assign to such Indian or Indians of  
 17321 said tribe as are willing to avail of the privilege, and who will  
 17322 locate on the same as a permanent home, if a single person over  
 17323 twenty-one years of age, one-eighth of a section; to each family

17324 of two, one quarter section; to each family of three and not  
 17325 exceeding five, one half section; to each family of six and not  
 17326 exceeding ten, one section; and to each family over ten in num-  
 17327 ber, one quarter section for every additional five members. And  
 17328 he may prescribe such rules and regulations as will insure to the  
 17329 family, in case of the death of the head thereof, the possession  
 17330 and enjoyment of such permanent home and the improvements  
 17331 thereon. And the President may, at any time, in his discretion  
 17332 after such person or family has made a location on the land as-  
 17333 signed for a permanent home, issue a patent to such person or  
 17334 family for such assigned land, conditioned that the tract shall  
 17335 not be aliened or leased for a longer term than two years; and  
 17336 shall be exempt from levy, sale, or forfeiture, which conditions  
 17337 shall continue in force until a State constitution, embracing such  
 17338 lands within its boundaries, shall have been formed, and the  
 17339 legislature of the State shall remove the restrictions. And if  
 17340 any such person or family shall at any time neglect or refuse to  
 17341 occupy and till a portion of the lands assigned and on which  
 17342 they have located, or shall rove from place to place, the Presi-  
 17343 dent may, if the patent shall have been issued, cancel the assign-  
 17344 ment, and may also withhold from such person or family, their  
 17345 proportion of the annuities or other moneys due them, until  
 17346 they shall have retured to such permanent home, and resumed  
 17347 the pursuits of industry; and in default of their return the tract  
 17348 may be declared abandoned, and thereafter assigned to some  
 17349 other person or family of such tribe, or disposed of as is pro-  
 17350 vided for the disposition of the excess of said land. And the  
 17351 residue of the land hereby reserved, or of that which may be  
 17352 selected in lieu thereof, after all of the Indian persons or fami-  
 17353 lies shall have had assigned to them permanent homes, may be  
 17354 sold for their benefit, under such laws, rules, or regulations, as  
 17355 may hereafter be prescribed by the Congress or President of  
 17356 the United States. No State legislature shall remove the restric-  
 17357 tions herein provided for, without the consent of Congress."

17358 ARTICLE 7. The annuities of the aforesaid confederated  
 17359 tribes of Indians shall not be taken to pay the debts of indi-  
 17360 viduals.

17361 ARTICLE 8. The aforesaid confederated tribes of Indians  
 17362 acknowledge their dependence upon the Government of the  
 17363 United States, and promise to be friendly with all citizens thereof,  
 17364 and pledge themselves to commit no depredations upon the  
 17365 property of such citizens. And should any one or more of them  
 17366 violate this pledge, and the fact be satisfactorily proved before  
 17367 the agent, the property taken shall be returned, or, in default  
 17368 thereof, or if injured or destroyed, compensation may be made  
 17369 by the Government out of the annuities. Nor will they make

17370 war on any other tribe except in self-defence, but will submit  
 17371 all matters of difference between them and other Indians to the  
 17372 Government of the United States, or its agent, for decision, and  
 17373 abide thereby. And if any of the said Indians commit any dep-  
 17374 redations on any other Indians within the jurisdiction of the  
 17375 United States, the same rule shall prevail as that prescribed  
 17376 in this article, in case of depredations against citizens. And  
 17377 the said tribes agree not to shelter or conceal offenders against  
 17378 the laws of the United States, but to deliver them up to the au-  
 17379 thorities for trial.

17380 ARTICLE 9. The said confederated tribes desire to exclude  
 17381 from their reservation the use of ardent spirits, and to prevent  
 17382 their people from drinking the same; and therefore it is pro-  
 17383 vided that any Indian belonging to said confederated tribes of  
 17384 Indians who is guilty of bringing liquor into said reservation,  
 17385 or who drinks liquor, may have his or her proportion of the an-  
 17386 nuities withheld from him or her for such time as the President  
 17387 may determine.

17388 ARTICLE 10. The United States further agree to guaranty  
 17389 the exclusive use of the reservation provided for in this treaty,  
 17390 as against any claims which may be urged by the Hudson Bay  
 17391 Company under the provisions of the treaty between the United  
 17392 States and Great Britain of the fifteenth of June, eighteen hun-  
 17393 dred and forty-six, in consequence of the occupation of a trading-  
 17394 post on the Pru-in River by the servants of that company.

17395 ARTICLE 11. It is, moreover, provided that the Bitter Root  
 17396 Valley, above the Loo-lo Fork, shall be carefully surveyed and  
 17397 examined, and if it shall prove, in the judgment of the Pres-  
 17398 ident, to be better adapted to the wants of the Flathead tribe  
 17399 than the general reservation provided for in this treaty, then  
 17400 such portions of it as may be necessary shall be set apart as a  
 17401 separate reservation for the said tribe. No portion of the Bitter  
 17402 Root Valley above the Loo-lo Fork shall be opened to settlement  
 17403 until such examination is had and the decision of the President  
 17404 made known.

17405 ARTICLE 12. This treaty shall be obligatory upon the con-  
 17406 tracting parties as soon as the same shall be ratified by the  
 17407 President and Senate of the United States.

17408 Proclaimed April 18, 1859.

17409

#### FLORIDA TRIBES.

17410

#### *Treaty with the Florida tribes of Indians.*

17411 ARTICLE 1. The undersigned chiefs and warriors, for them-  
 17412 selves and their tribes, have appealed to the humanity and thrown  
 17413 themselves on, and have promised to continue under, the pro-

17414 tection of the United States, and of no other nation, power, or  
 17415 sovereign, and, in consideration of the promises and stipulations  
 17416 hereinafter made, do cede and relinquish all claim or title which  
 17417 they may have to the whole territory of Florida, with the excep-  
 17418 tion of such district of country as shall herein be allotted to  
 17419 them.

17420 ARTICLE 2. The Florida tribes of Indians will hereafter be  
 17421 concentrated and confined to the following metes and boundaries :  
 17422 commencing five miles north of Okehunke, running in a direct  
 17423 line to a point five miles west of Setarky's settlement, on the  
 17424 waters of Amazura, (or Withlahuchie River,) leaving said set-  
 17425 tlement two miles south of the line ; from thence, in a direct line,  
 17426 to the south end of the Big Hammock, to include Chickuchate ;  
 17427 continuing in the same direction for five miles beyond the said  
 17428 Hammock, provided said point does not approach nearer than  
 17429 fifteen miles the sea-coast of the Gulf of Mexico ; if it does, the  
 17430 said line will terminate at that distance from the sea-coast ;  
 17431 thence south twelve miles ; thence in a south 30° east direction  
 17432 until the same shall strike within five miles of the main branch  
 17433 of Charlotte River ; thence, in a due east direction, to within  
 17434 twenty miles of the Atlantic coast ; thence north, fifteen west, for  
 17435 fifty miles, and from this last to the beginning point.

17436 ARTICLE 3. The United States will take the Florida Indians  
 17437 under their care and patronage, and will afford them protection  
 17438 against all persons whatsoever, provided they conform to the  
 17439 laws of the United States and refrain from making war, or giving  
 17440 any insult to any foreign nation, without having first obtained  
 17441 the permission and consent of the United States. And, in con-  
 17442 sideration of the appeal and cession made in the first article of  
 17443 this treaty by the aforesaid chiefs and warriors, the United  
 17444 States promise to distribute among the tribes, as soon as concen-  
 17445 trated under the direction of their agent, implements of hus-  
 17446 bandry, and stock of cattle and hogs, to the amount of six  
 17447 thousand dollars, and an annual sum of five thousand dollars a  
 17448 year for twenty successive years, to be distributed as the Presi-  
 17449 dent of the United States shall direct, through the Secretary  
 17450 of War, or his superintendents and agent of Indian affairs.

17451 ARTICLE 4. The United States promise to guaranty to the  
 17452 said tribes the peaceable possession of the district of country  
 17453 herein assigned them, reserving the right of opening through it  
 17454 such roads as may, from time to time, be deemed necessary ;  
 17455 and to restrain and prevent all white persons from hunting, set-  
 17456 tling, or otherwise intruding upon it. But any citizen of the  
 17457 United States, being lawfully authorized for that purpose, shall  
 17458 be permitted to pass and repass through the said district, and to

17459 navigate the waters thereof, without any hindrance, toll, or ex-  
17460 action, from said tribes.

17461 ARTICLE 5. For the purpose of facilitating the removal of  
17462 the said tribes to the district of country allotted them, and, as  
17463 a compensation for the losses sustained, or the inconveniences  
17464 to which they may be exposed by said removal, the United States  
17465 will furnish them with rations of corn, meat, and salt, for twelve  
17466 months, commencing on the first day of February next; and  
17467 they further agree to compensate those individuals who have  
17468 been compelled to abandon improvements on lands not em-  
17469 braced within the limits allotted, to the amount of four thou-  
17470 sand five hundred dollars, to be distributed among the sufferers,  
17471 in a ratio to each proportional to the value of the improve-  
17472 ments abandoned. The United States further agree to furnish  
17473 a sum, not exceeding two thousand dollars, to be expended by  
17474 their agent, to facilitate the transportation of the different tribes  
17475 to the point of concentration designated.

17476 ARTICLE 6. An agent, sub-agent, and interpreter shall  
17477 be appointed, to reside within the Indian boundary aforesaid, to  
17478 watch over the interests of said tribes; and the United States  
17479 further stipulate, as an evidence of their humane policy towards  
17480 said tribes, who have appealed to their liberality, to allow for  
17481 the establishment of a school at the agency one thousand dollars  
17482 per year for twenty successive years; and one thousand dol-  
17483 lars per year, for the same period, for the support of a gun and  
17484 black smith, with the expenses incidental to his shop.

17485 ARTICLE 7. The chiefs and warriors aforesaid, for themselves  
17486 and tribes, stipulate to be active and vigilant in the preventing  
17487 the retreating to, or passing through, of the district of country  
17488 assigned them, of any absconding slaves, or fugitives from jus-  
17489 tice; and further agree to use all necessary exertions to appre-  
17490 hend and deliver the same to the agent, who shall receive orders  
17491 to compensate them agreeably to the trouble and expenses in-  
17492 curred.

17493 ARTICLE 8. A commissioner or commissioners, with a sur-  
17494 veyor, shall be appointed, by the President of the United States,  
17495 to run and mark (blazing fore and aft the trees) the line as de-  
17496 fined in the second article of this treaty, who shall be attended  
17497 by a chief or warrior, to be designated by a council of their own  
17498 tribes, and who shall receive, while so employed, a daily com-  
17499 pensation of three dollars.

17500 ARTICLE 9. The undersigned chiefs and warriors, for them-  
17501 selves and tribes, having objected to their concentration within  
17502 the limits described in the second article of this treaty, under  
17503 the impression that the said limits did not contain a sufficient  
17504 quantity of good land to subsist them, and for no other reason:

17505 it is, therefore, expressly understood, between the United States  
 17506 and the aforesaid chiefs and warriors that, should the country  
 17507 embraced in the said limits, upon examination by the Indian  
 17608 agent and the commissioner or commissioners to be appointed  
 17509 under the 8th article of this treaty, be by them considered insuf-  
 17510 ficient for the support of the said Indian tribes, then the north  
 17511 line, as defined in the second article of this treaty, shall be re-  
 17512 moved so far north as to embrace a sufficient quantity of good  
 17513 tillable land.

17514 ARTICLE 10. The undersigned chiefs and warriors, for them-  
 17515 selves and tribes, have expressed to the commissioners their  
 17516 unlimited confidence in their agent, Colonel Gad Humphreys,  
 17517 and their interpreter, Stephen Richards, and, as an evidence of  
 17518 their gratitude for their services and humane treatment, and  
 17519 brotherly attentions to their wants, request that one mile square,  
 17520 embracing the improvements of Enehe Mathla, at Tallahassee,  
 17521 (said improvements to be considered as the centre) be conveyed,  
 17522 in fee-simple, as a present to Colonel Gad Humphreys. And  
 17523 they further request that one mile square, at the Ochesee Bluffs,  
 17524 embracing Stephen Richard's field on said bluffs, be conveyed,  
 17525 in fee-simple, as a present to said Stephen Richards. The com-  
 17526 missioners accord in sentiment with the undersigned chiefs and  
 17527 warriors, and recommend a compliance with their wishes to  
 17528 the President and Senate of the United States; but the dis-  
 17529 approval, on the part of the said authorities, of this article  
 17530 shall in nowise affect the other articles and stipulations con-  
 17531 cluded on in this treaty.

17532

## ADDITIONAL ARTICLE.

17533 Whereas Neo Mathla, John Blunt, Tuski Hajo, Mulatto  
 17534 King, Emathlochee, and Econchatimico, six of the principal  
 17535 chiefs of the Florida Indians, and parties to the treaty to which  
 17536 this article has been annexed, have warmly appealed to the com-  
 17537 missioners for permission to remain in the district of country  
 17538 now inhabited by them; and, in consideration of their friendly  
 17539 disposition and past services to the United States, it is,  
 17540 therefore, stipulated between the United States and the afore-  
 17541 said chiefs that the following reservations shall be surveyed,  
 17542 and marked by the commissioner or commissioners to be ap-  
 17543 pointed under the eighth article of this treaty: For the use of  
 17544 Nea Mathla and his connections, two miles square, embracing the  
 17545 Tuphulga Village, on the waters of Rocky Comfort Creek. For  
 17546 Blunt and Tuski Hajo, a reservation, commencing on the Apa-  
 17547 lachicola, one mile below Tuski Hajo's improvements, running  
 17548 up said river four miles; thence west two miles; thence south-  
 17549 erly to a point two miles due west of the beginning; thence

17550 east to the beginning point. For Mulatto King and Emathlo-  
 17551 chee, a reservation, commencing on the Apalachicola, at a point  
 17552 to include Yellow Hair's improvements; thence up said river  
 17553 for four miles; thence west one mile; thence southerly to a  
 17554 point one mile west of the beginning; and thence east to the  
 17555 beginning point. For Econchatimico, a reservation commenc-  
 17556 ing on the Chatahoochie, one mile below Econchatimico's house;  
 17557 thence up said river for four miles; thence one mile west; thence  
 17558 southerly to a point one mile west of the beginning; thence east  
 17559 to the beginning point. The United States promise to guar-  
 17560 anty the peaceable possession of the said reservations, as defined,  
 17561 to the aforesaid chiefs and their descendants only so long as  
 17562 they shall continue to occupy, improve, or cultivate the same;  
 17563 but in the event of the abandonment of all or either of the  
 17564 reservations by the chief [or chiefs to whom they have been  
 17565 allotted, the reservation or reservations so abandoned shall re-  
 17566 vert to the United States, as included in the cession made in  
 17567 the first article of this treaty. It is further understood that  
 17568 the names of the individuals remaining on the reservations  
 17569 aforesaid shall be furnished, by the chiefs in whose favour the  
 17570 reservations have been made, to the superintendent or agent  
 17571 of Indian affairs in the territory of Florida; and that no other  
 17572 individuals shall be received or permitted to remain within said  
 17573 reservations, without the previous consent of the superintendent  
 17574 or agent aforesaid. And, as the aforesaid chiefs are authorized to  
 17575 select the individuals remaining with them, so they shall each  
 17576 be separately held responsible for the peaceable conduct of their  
 17577 towns, or the individuals residing on the reservations allotted  
 17578 them. It is further understood between the parties that this  
 17579 agreement is not intended to prohibit the voluntary removal, at  
 17580 any future period, of all or either of the aforesaid chiefs and  
 17581 their connections to the district of country south, allotted to  
 17582 the Florida Indians by the second article of this treaty, when-  
 17583 ever either or [all may think proper to make such an election;  
 17584 the United States reserving the right of ordering, for any out-  
 17585 rage or misconduct, the aforesaid chiefs, or either of them, with  
 17586 their connections, within the district of country south, aforesaid.  
 17587 It is further stipulated by the United States that, of the six  
 17588 thousand dollars appropriated for implements of husbandry,  
 17589 stock, &c., in the third article of this treaty, eight hundred dol-  
 17590 lars shall be distributed in the same manner among the afore-  
 17591 said chiefs and their towns; and it is understood that, of the  
 17592 annual sum of five thousand dollars, to be distributed by the  
 17593 President of the United States, they will receive their propor-  
 17594 tion. It is further stipulated that, of the four thousand five  
 17595 hundred dollars, and two thousand dollars, provided for by the

17596 5th article of this treaty, for the payment for improvements and  
 17597 transportation, five hundred dollars shall be awarded to Neo  
 17598 Mathla, as a compensation for the improvements abandoned by  
 17599 him, as well as to meet the expenses he will unavoidably be ex-  
 17600 posed to by his own removal and that of his connections.  
 17601 Proclaimed January 2, 1824.

17602

## FOXES.

17603 *A treaty of peace and friendship made and concluded between Will-*  
 17604 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 17605 *sioners-plenipotentiary of the United States of America, on the*  
 17606 *part and behalf of the said States, of the one part, and the*  
 17607 *undersigned king, chiefs, and warriors of the Fox Tribe or*  
 17608 *Nation, on the part and behalf of the said tribe or nation, of*  
 17609 *the other part.*

17610 The parties being desirous of re-establishing peace and  
 17611 friendship between the United States and the said tribe or nation,  
 17612 and of being placed in all things, and in every respect, on the  
 17613 same footing upon which they stood before the war, have agreed  
 17614 to the following articles:

17615 ARTICLE 1. Every injury or act of hostility by one or either  
 17616 of the contracting parties against the other shall be mutually  
 17617 forgiven and forgot.

17618 ARTICLE 2. There shall be perpetual peace and friendship  
 17619 between the citizens of the United States of America and all  
 17620 the individuals composing the said Fox Tribe or Nation.

17621 ARTICLE 3. The contracting parties do hereby agree, prom-  
 17622 ise, and oblige themselves, reciprocally, to deliver up all the  
 17623 prisoners now in their hands, (by what means soever the same  
 17624 may have come into their possession,) to the officer commanding  
 17625 at Fort Clark, on the Illinois River, to be by him restored to  
 17626 their respective nations as soon as it may be practicable.

17627 ARTICLE 4. The said Fox Tribe or Nation do hereby assent  
 17628 to, recognize, re-establish, and confirm the treaty of St. Louis,  
 17629 which was concluded on the third day of November, one thou-  
 17630 sand eight hundred and four, to the full extent of their interest  
 17631 in the same, as well as all other contracts and agreements  
 17632 between the parties; and the United States promises to fulfil  
 17633 all the stipulations contained in the said treaty in favor of the  
 17634 said Fox Tribe or Nation.

17635 Ratified December 26, 1815.

17636

## ILLINOIS.

17637 *A treaty made and concluded by and between Ninian Edwards and*  
 17638 *Auguste Chouteau, commissioners on the part and behalf of the*  
 17639 *United States of America, of the one part, and the undersigned,*  
 17640 *principal chiefs and warriors of the Peoria, Kaskaskia, Mitch-*  
 17641 *igamia, Cahokia, and Tamarois tribes of the Illinois Nation*  
 17642 *of Indians, on the part and behalf of the said tribes, of the*  
 17643 *other part.*

17644       Whereas, by the treaty made at Vincennes, on the thirteenth  
 17645 day of August, in the year of our Lord one thousand eight hun-  
 17646 dred and three, between the United States, of the one part, and  
 17647 the head chiefs and warriors of the tribe of Indians commonly  
 17648 called the Kaskaskia tribe, but which was composed of, and  
 17649 rightfully represented, the Kaskaskia, Mitchigamia, Cahokia,  
 17650 and Tamarois tribes of the Illinois Nation of Indians, of the  
 17651 other part, a certain tract of land was ceded to the United  
 17652 States, which was supposed to include all the land claimed by  
 17653 those respective tribes, but which did not include, and was not  
 17654 intended to include, the land which was rightfully claimed by  
 17655 the Peoria Indians, a tribe of the Illinois Nation, who then did,  
 17656 and still do, live separate and apart from the tribes above men-  
 17657 tioned, and who were not represented in the treaty refer'ed to  
 17658 above, nor ever received any part of the consideration given for  
 17659 the cession of land therein mentioned; and

17660       Whereas the said tribe of Peoria are now also disposed to  
 17661 cede all their land to the United States, and, for the purpose of  
 17662 avoiding any dispute with regard to the boundary of their claim,  
 17663 are willing to unite with the Kaskaskia, Mitchigamia, Cahokia,  
 17664 and Tamarois tribes, in confirming the cession of land to the  
 17665 United States which was made by the treaty above refer'ed to,  
 17666 and in extending the cession so as to include all the land claimed  
 17667 by those tribes, and themselves, respectively:

17668       ARTICLE 1. For which purpose the undersigned, head chiefs  
 17669 and warriors of the Peoria, Kaskaskia, Mitchigamia, Cahokia,  
 17670 and Tamarois tribes of the Illinois Nation of Indians, for the  
 17671 considerations hereinafter mentioned, do hereby relinquish, cede,  
 17672 and confirm, to the United States, all the land included within  
 17673 the following boundaries, viz: Beginning at the confluence of  
 17674 the Ohio and Mississippi Rivers; thence up the Ohio to the  
 17675 mouth of Saline Creek, about twelve miles below the mouth of  
 17676 the Wabash; thence along the dividing ridge between the waters  
 17677 of said creek and the Wabash, to the general dividing ridge  
 17678 between the waters which fall into the Wabash and those which  
 17679 fall into the Kaskaskia River; thence along the said ridge untill

17680 it reaches the waters which fall into the Illinois River; thence a  
 17681 direct line to the confluence of the Kankakee and Maple Rivers;  
 17682 thence down the Illinois River to its confluence with the Missis-  
 17683 sippi River, and down the latter to the beginning.

17684 ARTICLE 2. It is mutually agreed by the parties hereto  
 17685 that all the stipulations contained in the treaty above referred  
 17686 to shall continue binding and obligatory on both parties.

17687 ARTICLE 3. The United States will take the Peoria tribe,  
 17688 as well as the other tribes hereinabove mentioned, under their  
 17689 immediate care and patronage, and will afford them a protection  
 17690 as effectual, against any other Indian tribes, and against all  
 17691 other persons whatever, as is enjoyed by the citizens of the  
 17692 United States. And the said Peoria tribe do hereby engage to  
 17693 refrain from making war, or giving any insult or offence, to any  
 17694 other Indian tribe, or to any foreign nation, without first having  
 17695 obtained the approbation and consent of the United States.

17696 ARTICLE 4. In addition to two thousand dollars' worth of  
 17697 merchandize, this day paid to the above-mentioned tribes of In-  
 17698 dians, the receipt whereof is hereby acknowledged, the United  
 17699 States promise to pay to the said Peoria tribe, for the term of  
 17700 twelve years, an annuity of three hundred dollars, in money,  
 17701 merchandize, or domestic animals, at the option of the said tribe;  
 17702 to be delivered at the village of St. Genevieve, in the Territory  
 17703 of Missouri.

17704 ARTICLE 5. The United States agree to cede to the said  
 17705 Peoria tribe six hundred and forty acres of land, including their  
 17706 village on Blackwater River, in the Territory of Missouri: *Pro-*  
 17707 *vided*, That the said tract is not included within a private claim;  
 17708 but should that be the case, then some other tract of equal  
 17709 quantity and value shall be designated for said tribe, at such  
 17710 place as the President of the United States may direct. And  
 17711 the said Peoria tribe hereby agree to accept the same, together  
 17712 with the presents now given them, and the annuity hereby  
 17713 promised them, as a full equivalent for all and every tract of  
 17714 land to which they have any pretence of right or title.

17715 *Articles of a treaty made and entered into at Castor Hill, in the*  
 17716 *county of St. Louis, in the State of Missouri, this twenty-*  
 17717 *seventh day of October, one thousand eight hundred and thirty-*  
 17718 *two, between William Clark, Frank J. Allen, and Nathan*  
 17719 *Kouns, commissioners on the part of the United States, of the*  
 17720 *one part, and the Kaskaskia and Peoria tribes, which, with the*  
 17721 *Michigamia, Cahokia, and Tamarois bands, now united with the*  
 17722 *two first-named tribes, formerly composed the Illinois Nation*  
 17723 *of Indians, of the other part.*

17724 Whereas the Kaskaskia tribe of Indians and the bands

17725 aforesaid united therewith are desirous of uniting with the  
 17726 Peorias, (composed as aforesaid,) on lands west of the State of  
 17727 Missouri, they have therefore for that purpose agreed, with the  
 17728 commissioners aforesaid, upon the following stipulations :

17729       ARTICLE 1. The Kaskaskia tribe of Indians and the several  
 17730 bands united with them as aforesaid, in consideration of the  
 17731 stipulations herein made on the part of the United States, do  
 17732 forever cede and release to the United States the lands granted  
 17733 to them forever by the first section of the treaty of Vincennes  
 17734 of 13th August, 1803, (see page 423,) reserving, however, to  
 17735 Ellen Decoigne, the daughter of their late chief, who has mar-  
 17736 ried a white man, the tract of land, of about three hundred and  
 17737 fifty acres, near the town of Kaskaskia, which was secured to  
 17738 said tribe by the act of Congress of 3d March, 1793.

17739       ARTICLE 2. The Kaskaskia tribe further relinquishes to the  
 17740 United States the permanent annuity of one thousand dollars,  
 17741 which they receive under the third article of the aforesaid treaty,  
 17742 and their salt annuity due by treaty of Fort Wayne of 7th  
 17743 June, 1803.

17744       ARTICLE 3. The Peoria tribe and the bands aforesaid,  
 17745 united therewith, cede and relinquish to the United States all  
 17746 their claims to land heretofore reserved by or assigned to them  
 17747 in former treaties, either in the State of Illinois or Missouri.

17748       ARTICLE 4. The United States cede to the combined tribes  
 17749 of Kaskaskias and Peorias, and the bands aforesaid united with  
 17750 them, one hundred and fifty sections of land forever, or as long  
 17751 as they live upon it as a tribe, to include the present Peoria  
 17752 Village west of the State of Missouri, on the waters of Osage  
 17753 River, to be bounded as follows, to wit : North by the lands  
 17754 assigned to the Shawanoes ; west by the western line of the res-  
 17755 ervation made for the Piankeshaws, Weas, and Peorias ; and  
 17756 east by lands assigned the Piankeshaws and Weas.

17757       ARTICLE 5. In consideration of the foregoing cessions and  
 17758 relinquishments the United [States] agree to pay to the said  
 17759 united Kaskaskia and Peoria tribes (composed as aforesaid) an  
 17760 annuity of three thousand dollars for ten successive years, to be  
 17761 paid on the lands assigned them in common, either in money,  
 17762 merchandise, or domestic stock, at their option ; if in merchan-  
 17763 dise, to be delivered to them free of transportation.

17764       ARTICLE 6. And whereas the said Peoria tribe, and the  
 17765 bands united with them as aforesaid, assert in council that they  
 17766 never understood the 5th article of the treaty of Edwardsville of  
 17767 25th September, 1825, as ceding to the United States their claims  
 17768 to lands in Missouri, on which they had been settled for a length  
 17769 of time previous to that treaty, and of which they had had pos-  
 17770 session for more than sixty years—and now demand an equivalent

17771 for those claims. The commissioners, with a view of quieting for-  
 17772 ever the said claims and all demands of whatever nature which  
 17773 said Peoria tribe and the several bands united therewith as afore-  
 17774 said have against the Government or citizens of the United  
 17775 States, agree to pay, viz: to the Peorias in common with the  
 17776 Kaskaskias, the sum of sixteen hundred dollars; to the Kaskas-  
 17777 kias alone, for seven horses lost by them, and for salt-annuities  
 17778 due to them by the treaty of Fort Wayne aforesaid, three hun-  
 17779 dred and fifty dollars; to the Peorias alone, for improvements  
 17780 on the lands they moved from, two hundred and fifty dollars;  
 17781 to the united Peorias and Kaskaskias, there shall be paid and  
 17782 delivered, on their land, as soon as practicable after the ratifica-  
 17783 tion of this treaty, cows and calves and other stock to the amount  
 17784 of four hundred dollars, three iron-bound carts, three yoke of  
 17785 ozen, and six plows. There shall also be built for said tribes four  
 17786 log-houses; for breaking up ground and fencing the same, three  
 17787 hundred dollars; for agricultural implements, iron, and steel,  
 17788 fifty dollars per annum for four years. There shall also be paid  
 17789 to the said united tribes, on the signing of this treaty, eight hun-  
 17790 dred dollars in goods suited to their wants. Assistance shall  
 17791 also be given the Kaskaskias in moving to their lands, and pro-  
 17792 visions for one year after their removal, to the amount of one  
 17793 thousand dollars. It is understood that any stipulations in this  
 17794 or the preceding articles, for the benefit of the Peorias or Kas-  
 17795 kaskias, separately or united, shall embrace, in either case, the  
 17796 bands before mentioned, united with either or both tribes as the  
 17797 case may be.

17798 ARTICLE 7. In consideration of the stipulations contained  
 17799 in the preceding articles, the Peoria and Kaskaskia tribes, and  
 17800 the bands of Michigamia, Cahokia, and Tamarois Indians united  
 17801 with them, hereby forever cede and relinquish to the United  
 17802 States their claims to lands within the States of Illinois and  
 17803 Missouri, and all other claims of whatsoever nature which they  
 17804 have had or preferred against the United States or the citizens  
 17805 thereof, up to the signing of this treaty.

17806 ARTICLE 8. This treaty, after the same shall be ratified by  
 17807 the President and Senate of the United States, shall be obliga-  
 17808 tory on the contracting parties.

17809 Proclaimed January 5, 1819.

17810

## IOWAYS.

17811 *A treaty of peace and friendship, made and concluded between Will-*  
 17812 *iam Clark, Ninian Edicards, and Auguste Choteau, commis-*  
 17813 *sioners plenipotentiary of the United States of America, on the*  
 17814 *part and behalf of the said States, of the one part, and the*  
 17815 *undersigned kings, chiefs, and warriors of the Ioway tribe or*  
 17816 *nation, on the part and behalf of the said tribe or nation, of*  
 17817 *the other part.*

17818 The parties being desirous of re-establishing peace and friend-  
 17819 ship between the United States and the said tribe or nation, and  
 17820 of being placed in all things, and in every respect, on the same  
 17821 footing upon which they stood before the war, have agreed to  
 17822 the following articles :

17823 ARTICLE 1. Every injury or act of hostility, by one or either  
 17824 of the contracting parties against the other, shall be mutually  
 17825 forgiven and forgot.

17826 ARTICLE 2. There shall be perpetual peace and friendship  
 17827 between all the citizens of the United States and all the individ-  
 17828 uals composing the said Iaway tribe or nation.

17829 ARTICLE 3. The contracting parties do hereby agree, prom-  
 17830 ise, and oblige themselves, reciprocally, to deliver up all the  
 17831 prisoners now in their hands (by what means soever the same  
 17832 may have come into their possession) to the officer commanding  
 17833 at St. Louis, to be by him restored to their respective nations, a  
 17834 soon as it may be practicable.

17835 ARTICLE 4. The contracting parties, in the sincerity of mu-  
 17836 tual friendship, recognize, re-establish, and confirm all and every  
 17837 treaty, contract, and agreement heretofore concluded between  
 17838 the United States and the said Iaway tribe or nation.

17839 Ratified December 26, 1815.

17840 *Articles of a treaty made and concluded at the city of Washington*  
 17841 *on the fourth day of August, one thousand eight hundred and*  
 17842 *twenty-four, between William Clark, superintendent of Indian*  
 17843 *affairs, being specially authorized by the President of the*  
 17844 *United States thereto, and the undersigned chiefs and head-*  
 17845 *men, of the Ioway tribe or nation, duly authorized and empow-*  
 17846 *ered by the said nation.*

17847 ARTICLE 1. The Ioway tribe or nation of Indians, by their  
 17848 deputies. Ma-hos-kah, (or White Cloud,) and Mah-ne-bah-nah,  
 17849 (or Great Walker,) in council assembled, do hereby agree, in con-  
 17850 sideration of a certain sum of money, &c., to be paid to the said  
 17851 Ioway tribe, by the Government of the United States, as herein-

17852 after stipulated, to cede and forever quit-claim, and do, in be-  
 17853 half of their said tribe, hereby cede, relinquish, and forever quit-  
 17854 claim, unto the United States, all right, title, interest, and claim,  
 17855 to the lands which the said Ioway tribe have, or claim, within  
 17856 the State of Missouri, and situated between the Mississippi and  
 17857 Missouri Rivers and a line running from the Missouri, at the  
 17858 mouth or entrance of Kansas River, north one hundred miles,  
 17859 to the northwest corner of the limits of the State of Missouri,  
 17860 and, from thence, east to the Mississippi.

17861 ARTICLE 2. It is hereby stipulated and agreed, on the part  
 17862 of the United States, as a full compensation for the claims and  
 17863 lands ceded by the Ioway tribe in the preceding article, there  
 17864 shall be paid to the said Ioway tribe, within the present year,  
 17865 in cash or merchandise, the amount of five hundred dollars, and  
 17866 the United States do further agree to pay to the Ioway tribe  
 17867 five hundred dollars, annually, for the term of ten succeeding  
 17868 years.

17869 ARTICLE 3. The chiefs and head-men who sign this treaty,  
 17870 for themselves, and in behalf of their tribe, do acknowledge that  
 17871 the lands east and south of the lines described in the first article,  
 17872 (which has been run and marked by Colonel Sullivan,) so far as  
 17873 the Indians claimed the same, to belong to the United States,  
 17874 and that none of their tribe shall be permitted to settle or hunt  
 17875 upon any part of it, after 1st day of January, one thousand  
 17876 eight hundred and twenty-six, without special permission from  
 17877 the superintendent of Indian Affairs.

17878 ARTICLE 4. The undersigned chiefs, for themselves, and all  
 17879 parts of the Ioway tribe, do acknowledge themselves and the  
 17880 said Ioway tribe to be under the protection of the United States  
 17881 of America, and of no other sovereign whatsoever; and they  
 17882 also stipulate that the said Ioway tribe will not hold any treaty  
 17883 with any foreign powers, individual State, or with individuals  
 17884 of any State.

17885 ARTICLE 5. The United States engage to provide and sup-  
 17886 port a blacksmith for the Ioway tribe, so long as the President  
 17887 of the United States may think proper, and to furnish the said  
 17888 tribe with such farming utensils and cattle, and to employ such  
 17889 persons to aid them in their agriculture as the President may  
 17890 deem expedient.

17891 ARTICLE 6. The annuities stipulated to be paid by the sec-  
 17892 ond article, to be paid either in money, merchandise, provisions,  
 17893 or domestic animals, at the option of the aforesaid tribe; and  
 17894 when the said annuities, or any part thereof, is paid in merchan-  
 17895 dise, it is to be delivered to them at the first cost of the goods at  
 17896 St. Louis, free from cost of transportation.

17897 ARTICLE 7. This treaty shall take effect, and be obligatory

17893 on the contracting parties, so soon as the same shall be ratified  
 17899 by the President of the United States, by and with the advice  
 17900 and consent of the Senate thereof.

17901 Proclaimed January 18, 1825.

17902 *Articles of a treaty made at the city of Saint Louis, between Joshua*  
 17903 *Pilcher, thereto specially authorised by the President of the*  
 17904 *United States, and the Ioway Indians, by their chiefs and*  
 17905 *delegates.*

17906 ARTICLE 1. The Ioway Indians cede to the United States  
 17907 all the right and interest in the land ceded by the treaty con-  
 17908 cluded with them and other tribes on the 15th of July, 1830,  
 17909 (proclaimed February 24, 1831,) which they might be entitled  
 17910 to claim, by virtue of the phraseology employed in the second  
 17911 article of said treaty.

17912 ARTICLE 2. In consideration of the cession contained in the  
 17913 preceding article, the United States stipulate to pay them two  
 17914 thousand five hundred dollars (\$2,500) in horses, goods, and  
 17915 presents, upon their signing this treaty in the city of Saint Louis.

17916 ARTICLE 3. The expenses of this negotiation and of the  
 17917 chiefs and delegates signing this treaty, to the city of Washing-  
 17918 ton and to their homes, to be paid by the United States.

17919 ARTICLE 4. This treaty to be binding upon the contracting  
 17920 parties when the same shall be ratified by the United States.

17921 Proclaimed February 21, 1838.

17922 *Articles of a treaty made at the Great Nemowhaw sub-agency be-*  
 17923 *tween John Dougherty, agent of Indian affairs, on the part of*  
 17924 *the United States, being specially authorized, and the chiefs and*  
 17925 *head-men of the Ioway tribe of Indians for themselves, and on*  
 17926 *the part of their tribe.*

17927 ARTICLE 1. The Ioway tribe of Indians cede to the United  
 17928 States—

17929 First. All right or interest in the country between the Mis-  
 17930 souri and Mississippi Rivers, and the boundary between the  
 17931 Sacs and Foxes, and Sioux, described in the second article of  
 17932 the treaty made with these and other tribes, on the 19th of  
 17933 August, 1825, (proclaimed February 6, 1826,) to the full ex-  
 17934 tent to which said claim is recognised in the third article of  
 17935 said treaty, and all interest or claim by virtue of the provisions  
 17936 of any treaties since made by the United States with the Sacs  
 17937 and Foxes of the Mississippi.

17938 Second. All claims or interest under the treaties of August

17939 4, 1824, July 15, 1830, (see page 399,) and September 17,  
 17940 1836, (see page 407,) except so much of the last-mentioned  
 17941 treaty as secures to them two hundred sections of land, the  
 17942 erection of five comfortable houses, to enclose and break up for  
 17943 them two hundred acres of ground, to furnish them with a fer-  
 17944 ry-boat, one hundred cows and calves, five bulls, one hundred  
 17945 head of stock-hogs, a mill, and interpreter.

17946 ARTICLE 2. In consideration of the cession contained in  
 17947 the preceding article, the United States agree to the following  
 17948 stipulations on their part :

17949 First. To pay to the said Ioway tribe of Indians the sum of  
 17950 one hundred and fifty-seven thousand five hundred (\$157,500)  
 17951 dollars.

17952 Second. To invest said sum of one hundred and fifty-seven  
 17953 thousand five hundred (157,500) dollars, and to guaranty them  
 17954 an annual income of not less than five per cent. thereon during  
 17955 the existence of their tribe.

17956 Third. To set apart annually such amount of said income as  
 17957 the chiefs and head-men of said tribe may require, for the sup-  
 17958 port of a blacksmith-shop, agricultural assistance, and education  
 17959 to be expended under the direction of the President of the  
 17960 United States.

17961 Fourth. To pay out of said income to Jeffrey Derroin, inter-  
 17962 preter for said tribe, for services rendered, the sum of fifty dol-  
 17963 lars annually during his natural life; the balance of said income  
 17964 shall be delivered, at the cost of the United States, to said tribe  
 17965 of Ioway Indians in money or merchandise, at their own discre-  
 17966 tion, at such time and place as the President may direct: *Pro-*  
 17967 *vided always*, That the payment shall be made each year in the  
 17968 month of October.

17969 ARTICLE 3. The United States further agree in addition to  
 17970 the above consideration to cause to be erected ten houses at such  
 17971 place or places on their own land as said Ioways may select, of  
 17972 the following description, (viz,) each house to be ten feet high  
 17973 from bottom sill to top plate, eighteen by twenty feet in the  
 17974 clear, the roof to be well sheeted and shingled, the gable-ends  
 17975 to be weather-boarded, a good floor above and below, one door  
 17976 and two windows complete, one chimney of stone or brick, and  
 17977 the whole house to be underpinned.

17978 ARTICLE 4. This treaty to be binding upon the contracting  
 17979 parties when the same shall be ratified by the United States.

17980 Proclaimed March 2, 1839.

17981 N. B.—All claims and demands of every kind and descrip-  
 17982 tion, arising under former treaties in favor of the Ioways upon  
 17983 the United States, are released by the 12th article of the follow-  
 17984 ing treaty of July 17, 1854.

17985 FRANKLIN PIERCE, President of the United States of America,  
 17986 to all and singular to whom these presents shall come,  
 17987 greeting :

17988 Whereas a treaty was made and concluded at the city of  
 17939 Washington on the seventeenth day of May, one thousand eight  
 17990 hundred and fifty-four, by George W. Manypenny, commissioner  
 17991 on the part of the United States, and the following-named del-  
 17992 egates of the Ioway tribe of Indians, viz : Nan-chee-ning-a, or  
 17993 No Heart ; Shoon-ty-ing-a, or Little Wolf ; Wah-moon-a-kah, or  
 17994 the Man who Steals ; and Nar-ge-ga-rash, or British ; they  
 17995 being thereto duly authorized by said tribe, which treaty is in  
 17996 the words following, to wit :

17997 Articles of agreement and convention made and concluded at  
 17998 the city of Washington, this seventeenth day of May, one  
 17999 thousand eight hundred and fifty-four, by George W. Many-  
 18000 penny, commissioner on the part of the United States, and  
 18001 the following-named delegates of the Ioway tribe of  
 18002 Indians, viz : Nan-chee-ning-a, or No Heart ; Shoon-ty-ing-a,  
 18003 or Little Wolf ; Wah-moon-a-ka, or the Man who Steals ;  
 18004 and Nar-ge-ga-rash, or British ; they being thereto duly  
 18005 authorized by said tribe.

18006 ARTICLE 1. The Ioway tribe of Indians hereby cede, relin-  
 18007 quish, and convey to the United States, all their right, title,  
 18008 and interest in and to the country, with the exception herein-  
 18009 after named, which was assigned to them by the treaty concluded  
 18010 with their tribe and the Missouri band of Sacs and Foxes, by  
 18011 William Clark, superintendent of Indian affairs, on the seven-  
 18012 teenth of September, one thousand eight hundred and thirty-  
 18013 six, being the upper half of the tract described in the second  
 18014 article thereof, as " the small strip of land on the south side of  
 18015 the Missouri River, lying between the Kickapoo northern bound-  
 18016 ary-line and the Grand Nemahaw River, and extending from the  
 18017 Missouri back and westwardly with the said Kickapoo line and  
 18018 the Grand Nemahaw, making four hundred sections ; to be di-  
 18019 vided between the said Ioways and Missouri band of Sacs and  
 18020 Foxes ; the lower half to the Sacs and Foxes, the upper half to  
 18021 the Ioways," but they except and reserve of said country, so  
 18022 much thereof as is embraced within and designated by the fol-  
 18023 lowing metes and bounds, viz : Beginning at the mouth of the  
 18024 Great Nemahaw River where it empties into the Missouri ;  
 18025 thence down the Missouri River to the mouth of Noland's Creek ;  
 18026 thence due south one mile ; thence due west to the south fork  
 18027 of the Nemahaw River ; thence down the said fork with its  
 18028 meanders to the Great Nemahaw River, and thence with the  
 18029 meanders of said river to the place of beginning ; which coun-

18030 try, it is hereby agreed, shall be the future and permanent home  
18031 of the Ioway Indians.

18032 ARTICLE 2. In consideration of the cession made in the  
18033 preceding article, the United States agree to pay, in the manner  
18034 hereinafter prescribed, to the Ioway Indians, all the moneys re-  
18035 ceived from the sales of the lands which are stipulated in the  
18036 third article hereof to be surveyed and sold, after deducting  
18037 therefrom the costs of surveying, managing, and selling the  
18038 same.

18039 ARTICLE 3. The United States agree to have surveys made  
18040 of the country ceded by the Ioways in article first in the same  
18041 manner that the public lands are surveyed, and as soon as it can  
18042 conveniently be done; and the President, after the surveys  
18043 shall have been made and approved, shall proceed to offer said  
18044 surveyed land for sale, at public auction, being governed therein  
18045 by the laws of the United States respecting sales of public  
18046 lands; and such of said lands as may not be sold at public sales  
18047 shall be subject to private entry in the manner that private  
18048 entries are made of United States land; and all the land re-  
18049 maining unsold after being for three years subject to private  
18050 entry at the minimum Government price may, by act of Con-  
18051 gress, be graduated and reduced in price until the whole is dis-  
18052 posed of, proper regard being had, in making such reduction, to  
18053 the interests of the Ioways and the speedy settlement of the  
18054 country. Until after the said land shall have been surveyed,  
18055 and the surveys approved, no white persons or citizens shall be  
18056 permitted to make thereon any location or settlement; and the  
18057 provisions of the act of Congress approved on the third day  
18058 of March, one thousand eight hundred and seven, relating to  
18059 lands ceded to the United States, shall, so far as they are appli-  
18060 cable, be extended over the lands herein ceded.

18061 ARTICLE 4. It being understood that the present division-  
18062 line between the Ioways and the Sacs and Foxes of Missouri, as  
18063 run by Isaac McCoy, will, when the surveys are made, run diag-  
18064 onally through many of the sections, cutting them into frac-  
18065 tions; it is agreed that the sections thus cut by said line, com-  
18066 mencing at the junction of the Wolf with the Missouri River,  
18067 shall be deemed and taken as part of the land hereinbefore  
18068 ceded and directed to be sold for the benefit of the Ioways,  
18069 until the quantity thus taken, including the before-recited reser-  
18070 vation, and all the full sections north of said line, shall amount  
18071 to two hundred sections of land. And should the Sacs and  
18072 Foxes of Missouri consent to a change of their residence and be  
18073 so located by the United States as to occupy any portion of the  
18074 land herein ceded and directed to be sold for the benefit of the  
18075 Ioways, west of the tract herein reserved, the Ioways hereby

18076 agree to the same, and consent to such an arrangement, upon  
 18077 the condition that a quantity of land equal to that which  
 18078 may be thus occupied by the Sacs and Foxes, and of as good  
 18079 quality, shall be set apart for them out of the country now occu-  
 18080 pied by the last-named tribe, contiguous to said division-line,  
 18081 and sold for their benefit, as hereinbefore provided.

18082       ARTICLE 5. As the receipts from the sales of the lands  
 18083 cannot now be determined, it is agreed that the whole subject  
 18084 shall be referred to the President of the United States, who may,  
 18085 from time to time, prescribe how much of the proceeds thereof  
 18086 shall be paid out to the Ioway people, and the time and mode of  
 18087 such payment, and also how much shall be invested in safe and  
 18088 profitable stocks, the principal of which to remain unimpaired,  
 18089 and the interest to be applied annually for the civilization, edu-  
 18090 cation, and religious culture of the Ioways and such other ob-  
 18091 jects of a beneficial character as may be proper and essential to  
 18092 their well-being and prosperity: provided, that, if necessary,  
 18093 Congress may, from time to time, by law, make such regulations  
 18094 in regard to the funds arising from the sale of said lands, and  
 18095 the application thereof for the benefit of the Ioways, as may in  
 18096 the wisdom of that body seem just and expedient.

18097       ARTICLE 6. The President may cause the country the  
 18098 Ioways have reserved for their future home to be surveyed, at  
 18099 their expense, and in the same way as the public lands are sur-  
 18100 veyed, and assign to each person or family such portion thereof  
 18101 as their industry and ability to manage business affairs may, in  
 18102 his opinion, render judicious and proper; and Congress may  
 18103 hereafter provide for the issuing to such persons patents for the  
 18104 same, with guards and restrictions for their protection in the  
 18105 possession and enjoyment thereof.

18106       ARTICLE 7. Appreciating the importance and the benefit  
 18107 derived from the mission established among them by the board  
 18108 of foreign missions of the Presbyterian Church, the Ioways  
 18109 hereby grant unto the said board a tract of three hundred and  
 18110 twenty acres of land, to be so located as to include the improve-  
 18111 ments at the mission, and also a tract of one hundred and sixty  
 18112 acres of timbered land, to be selected by some agent of the board  
 18113 from the legal subdivisions of the surveyed land; and the  
 18114 President shall issue a patent or patents for the same, to such  
 18115 person or persons as said board may direct. They further grant  
 18116 to John B. Roy, their interpreter, a tract of three hundred and  
 18117 twenty acres of land, to be selected by him in "Wolf's Grove,"  
 18118 for which the President shall also issue a patent.

18119       ARTICLE 8. The debts of Indians contracted in their private  
 18120 dealings as individuals, whether to traders or otherwise, shall  
 18121 not be paid out of the general fund.

18122       ARTICLE 9. As some time must elapse before any benefit  
 18123 can be derived from the proceeds of the sale of their land, and  
 18124 as it is desirable that the Ioways should at once engage in  
 18125 agricultural pursuits and in making improvements on the tract  
 18126 hereinbefore reserved for them, it is hereby agreed that, of the  
 18127 fund of one hundred and fifty-seven thousand five hundred dol-  
 18128 lars, set apart to be invested by the second clause of the second  
 18129 article of the treaty concluded on the nineteenth day of October,  
 18130 one thousand eight hundred and thirty-eight, a sum not exceeding  
 18131 one hundred thousand dollars shall be paid to the Indians, or  
 18132 expended under the direction of the President, for the erection  
 18133 of houses, breaking and fencing lands, purchasing stock, farming  
 18134 utensils, seeds, and such other articles as may be necessary for  
 18135 their comfort. Fifty thousand dollars, or so much thereof as  
 18136 may be deemed expedient, to be paid during the year commenc-  
 18137 ing on the first of October, one thousand eight hundred and  
 18138 fifty-four; and the other fifty thousand dollars, or so much  
 18139 thereof as shall be deemed expedient, to be paid during the year  
 18140 commencing on the first of October, one thousand eight hundred  
 18141 and fifty-five. The residue of said fund of one hundred and fifty-  
 18142 seven thousand five hundred dollars on hand after the payments  
 18143 herein provided for have been made shall remain as a trust fund,  
 18144 the interest upon which, as well as the interest that may have  
 18145 accrued on the portion drawn out, shall be applied, under the  
 18146 direction of the President, to educational or other beneficial  
 18147 purposes among the Ioways.

18148       ARTICLE 10. It is agreed that all roads and highways laid  
 18149 out by authority of law shall have a right of way through the  
 18150 lands herein reserved, on the same terms as are provided by law  
 18151 when roads and highways are made through the lands of citizens  
 18152 of the United States; and railroad companies, when the lines of  
 18153 their roads necessarily pass through the lands of the Ioways,  
 18154 shall have right of way on the payment of a just compensation  
 18155 therefor in money.

18156       ARTICLE 11. The Ioways promise to renew their efforts to  
 18157 suppress the introduction and use of ardent spirits in their  
 18158 country, to encourage industry, thrift, and morality, and by every  
 18159 possible effort to promote their advancement in civilization.  
 18160 They desire to be at peace with all men, and they bind them-  
 18161 selves to commit no depredation or wrong upon either Indians  
 18162 or citizens, and whenever difficulties arise they will abide by the  
 18163 laws of the United States, in such cases made and provided, as  
 18164 they expect to be protected and to have their rights vindicated  
 18165 by them.

18166       ARTICLE 12. The Ioway Indians release the United States  
 18167 from all claims and demands of every kind and description

18168 arising under former treaties, and agree to remove themselves  
 18169 within six months after the ratification of this instrument, to  
 18170 the lands herein reserved for their homes, in consideration  
 18171 whereof the United States agree to pay to said Indians five  
 18172 thousand dollars, two thousand of which, with such portion of  
 18173 balances of former appropriations of interest-fund as may not  
 18174 now be necessary under specific heads, may be expended in the  
 18175 settlement of their affairs preparatory to removal.

18176 ARTICLE 13. The object of this instrument being to advance  
 18177 the interests of the Ioway people, it is agreed, if it prove insuffi-  
 18178 cient, from causes which cannot now be foreseen, to effect these  
 18179 ends, that the President may, by and with the advice and con-  
 18180 sent of the Senate, adopt such policy in the management of their  
 18181 affairs as, in his judgment, may be most beneficial to them, or  
 18182 Congress may hereafter make such provision by law as experi-  
 18183 ence shall prove to be necessary.

18184 ARTICLE 14. This instrument shall be obligatory on the  
 18185 contracting parties whenever the same shall be ratified by the  
 18186 President and the Senate of the United States.

18187 Proclaimed July 17, 1854.

#### 18188 IOWAYS AND SACKS AND FOXES OF THE MISSOURI.

18189 *Articles of a treaty made and concluded at Fort Leavenworth, on*  
 18190 *the Missouri River, between William Clark, Superintendent of*  
 18191 *Indian affairs, on the part of the United States, of the one*  
 18192 *part, and the undersigned chiefs, warriors, and counsellors of*  
 18193 *the Ioway tribe and the band of Sacks and Foxes of the Mis-*  
 18194 *souri, (residing west of the State of Missouri,) in behalf of their*  
 18195 *respective tribes, of the other part.*

18196 ARTICLE 1. By the first article of the treaty of Prairie du  
 18197 Chien, held the fifteenth day of July, 1830, (proclaimed Febru-  
 18198 ary 24, 1831,) with the confederated tribes of Sacks, Foxes,  
 18199 Ioways, Omahaws, Missourias, Ottoes, and Sioux, the country  
 18200 ceded to the United States by that treaty is to be assigned and  
 18201 allotted under the direction of the President of the United  
 18202 States to the tribes living thereon, or to such other tribes as  
 18203 the President may locate thereon, for hunting and other pur-  
 18204 poses. And whereas it is further represented to us, the chiefs,  
 18205 warriors, and counsellors of the Ioways and Sack and Fox band  
 18206 aforesaid, to be desirable that the lands lying between the State  
 18207 of Missouri and the Missouri River should be attached to and  
 18208 become part of said State, and the Indian title thereto be entirely

18209 extinguished; but that, notwithstanding, as these lands com-  
 18210 pose a part of the country embraced by the provisions of said  
 18211 first article of the treaty aforesaid, the stipulations thereof will  
 18212 be strictly observed until the assent of the Indians interested is  
 18213 given to the proposed measure.

18214 Now we, the chiefs, warriors, and counsellors of the Ioways  
 18215 and Missouri band of Sacks and Foxes, fully understanding  
 18216 the subject, and well satisfied from the local position of the  
 18217 lands in question, that they never can be made available for  
 18218 Indian purposes, and that an attempt to place an Indian popu-  
 18219 lation on them must inevitably lead to collisions with the citi-  
 18220 zens of the United States; and further believing that the exten-  
 18221 sion of the State line in the direction indicated would have a  
 18222 happy effect, by presenting a natural boundary between the  
 18223 whites and Indians; and willing, moreover, to give the United  
 18224 States a renewed evidence of our attachment and friendship, do  
 18225 hereby for ourselves, and on behalf of our respective tribes,  
 18226 (having full power and authority to this effect,) forever cede,  
 18227 relinquish, and quit-claim, to the United States, all our right,  
 18228 title, and interest of whatsoever nature in and to the lands lying  
 18229 between the State of Missouri and the Missouri River, and do  
 18230 freely and fully exonerate the United States from any guarantee,  
 18231 condition, or limitation, expressed or implied, under the treaty of  
 18232 Prairie du Chien aforesaid, or otherwise, as to the entire and  
 18233 absolute disposition of the said lands, fully authorizing the  
 18234 United States to do with the same whatever shall seem expedi-  
 18235 ent or necessary.

18236 As a proof of the continued friendship and liberality of the  
 18237 United States toward the Ioways and band of Sacks and Foxes  
 18238 of the Missouri, and as an evidence of the sense entertained for  
 18239 the good-will manifested by said tribes to the citizens and Gov-  
 18240 ernment of the United States, as evinced in the preceding ces-  
 18241 sion or relinquishment, the undersigned, William Clark, agrees,  
 18242 on behalf of the United States, to pay as a present to the said  
 18243 Ioways and band of Sacks and Foxes seven thousand five  
 18244 hundred dollars in money, the receipt of which they hereby  
 18245 acknowledge.

18246 ARTICLE 2. As the said tribes of Ioways and Sacks and  
 18247 Foxes have applied for a small piece of land, south of the Mis-  
 18248 souri, for a permanent home, on which they can settle, and re-  
 18249 quest the assistance of the Government of the United States to  
 18250 place them on this land, in a situation at least equal to that  
 18251 they now enjoy on the land ceded by them: Therefore I, Wil-  
 18252 liam Clark, superintendent of Indian affairs, do further agree,  
 18253 on behalf of the United States, to assign to the Ioway tribe,  
 18254 and Missouri band of Sacks and Foxes, the small strip of land

18255 on the south side of the Missouri River, lying between the  
 18256 Kickapoo northern boundary-line and the Grand Nemahar  
 18257 River, and extending from the Missouri back and westwardly  
 18258 with the said Kickapoo line and the Grand Nemahar, making  
 18259 four hundred sections; to be divided between the said Ioways  
 18260 and Missouri band of Sacks and Foxes, the lower half to the  
 18261 Sacks and Foxes, the upper half to the Ioways.

18262       ARTICLE 3. The Ioways and Missouri band of Sacks and  
 18263 Foxes further agree that they will move and settle on the lands  
 18264 assigned them in the above article, as soon as arrangements can  
 18265 be made by them; and the undersigned, William Clark, in be-  
 18266 half of the United States, agrees that, as soon as the above  
 18267 tribes have selected a site for their villages, and places for their  
 18268 fields, and moved to them, to erect for the Ioways five comforta-  
 18269 ble houses; to enclose and break up for them two hundred acres  
 18270 of ground; to furnish them with a farmer, a blacksmith, school-  
 18271 master, and interpreter, as long as the President of the United  
 18272 States may deem proper; to furnish them with such agricul-  
 18273 tural implements as may be necessary, for five years; to furnish  
 18274 them with rations for one year, commencing at the time of their  
 18275 arrival at their new homes; to furnish them with one ferry-  
 18276 boat; to furnish them with one hundred cows and calves, and  
 18277 five bulls, and one hundred stock-hogs when they require them;  
 18278 to furnish them with a mill, and assist in removing them, to  
 18279 the extent of five hundred dollars. And to erect for the Sacks  
 18280 and Foxes three comfortable houses; to enclose and break up  
 18281 for them two hundred acres of ground; to furnish them with a  
 18282 farmer, blacksmith, schoolmaster, and interpreter, as long as  
 18283 the President of the United States may deem proper; to furnish  
 18284 them with such agricultural implements as may be necessary,  
 18285 for five years; to furnish them with rations for one year, com-  
 18286 mencing at the time of their arrival at their new home; to  
 18287 furnish them with one ferry-boat; to furnish them with one hun-  
 18288 dred cows and calves, and five bulls, one hundred stock-hogs  
 18289 when they require them; to furnish them with a mill; and to  
 18290 assist in removing them, to the extent of four hundred dollars.

18291       ARTICLE 4. This treaty shall be obligatory on the tribes,  
 18292 parties hereto, from and after the date hereof, and on the  
 18293 United States from and after its ratification by the Government  
 18294 thereof.

18295       Proclaimed February 15, 1837.

18296

## KANSAS.

18297 *A treaty of peace and friendship made and concluded between*  
 18298 *Ninian Edwards and Auguste Chouteau, commissioners plen-*  
 18299 *ipotentiary of the United States of America, on the part and*  
 18300 *behalf of the said States, of one part, and the undersigned*  
 18301 *chiefs and warriors of the Kansas tribe of Indians, on the*  
 18302 *part and behalf of their said tribe, of the other part.*

18303 The parties being' desirous of re-establishing peace and  
 18304 friendship between the United States and their said tribe, and  
 18305 of being placed in all things and in every respect upon the same  
 18306 footing upon which they stood before the late war between the  
 18307 United States and Great Britain, have agreed to the following  
 18308 articles:

18309 ARTICLE 1. Every injury or act of hostility by one or either  
 18310 of the contracting parties against the other shall be mutually  
 18311 forgiven and forgot.

18312 ARTICLE 2. There shall be perpetual peace and friendship  
 18313 between all the citizens of the United States of America and  
 18314 all the individuals composing the said Kansas tribe, and all the  
 18315 friendly relations that existed between them before the war shall  
 18316 be, and the same are hereby, renewed.

18317 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 18318 selves and their said tribe, do hereby acknowledge themselves  
 18319 to be under the protection of the United States of America, and  
 18320 of no other nation, power, or sovereign, whatsoever.

18321 Ratified December 26, 1818.

18322 *Articles of a treaty made and concluded at the city of Saint Louis,*  
 18323 *in the State of Missouri, between William Clark, superintend-*  
 18324 *ant of Indian affairs, commissioner on the part of the United*  
 18325 *States of America, and the undersigned chiefs, head-men, and*  
 18326 *warriors of the Kansas Nation of Indians, duly authorized*  
 18327 *and empowered by said nation.*

18328 ARTICLE 1. The Kansas do hereby cede to the United States  
 18329 all the lands lying within the State of Missouri to which the  
 18330 said nation have title or claim; and do further cede and relin-  
 18331 quish, to the said United States, all other lands which they now  
 18332 occupy, or to which they have title or claim, lying west of the  
 18333 said State of Missouri, and within the following boundaries:  
 18334 Beginning at the entrance of the Kansas River into the Missouri  
 18335 River; from thence north to the northwest corner of the State  
 18336 of Missouri; from thence westwardly to the Nodewa River, thirty  
 18337 miles from its entrance into the Missouri; thence to the en-

18338 trance of the Big Nemaha River into the Missouri, and with that riv-  
 18339 er to its source; from thence to the source of the Kansas River,  
 18340 leaving the old village of the Pania Republic to the west; from  
 18341 thence, on the ridge dividing the waters of the Kansas River  
 18342 from those of the Arkansas, to the western boundary of the  
 18343 State line of Missouri, and with that line thirty miles to the  
 18344 place of beginning.

18345 ARTICLE 2. From the cession aforesaid, the following reser-  
 18346 vation for the use of the Kansas Nation of Indians shall be  
 18347 made, of a tract of land, to begin twenty leagues up the Kansas  
 18348 River, and to include their village on that river; extending  
 18349 west thirty miles in width, through the lands ceded in the first  
 18350 article, to be surveyed and marked under the direction of the  
 18351 President, and to such extent as he may deem necessary, and at  
 18352 the expense of the United States. The agents for the Kansas,  
 18353 and the persons attached to the agency, and such teachers and  
 18354 instructors as the President shall authorize to reside near the  
 18355 Kansas, shall occupy, during his pleasure, such lands as may be  
 18356 necessary for them within this reservation.

18357 ARTICLE 3. In consideration of the cession of land and re-  
 18358 linquishments of claims, made in the first articles, the United  
 18359 States agree to pay to the Kansas Nation of Indians three thou-  
 18360 sand five hundred dollars per annum, for twenty successive  
 18361 years, at their villages, or at the entrance of the Kansas River,  
 18362 either in money, merchandize, provisions, or domestic animals,  
 18363 at the option of the aforesaid nation; and when the said annui-  
 18364 ties, or any part thereof, is paid in merchandize, it shall be de-  
 18365 livered to them at the first cost of the goods in Saint Louis, free  
 18366 of transportation.

18367 ARTICLE 4. The United States, immediately upon the rati-  
 18368 fication of this convention, or as soon thereafter as may be,  
 18369 shall cause to be furnished to the Kansas Nation three hundred  
 18370 head of cattle, three hundred hogs, five hundred domestic fowls,  
 18371 three yoke of oxen, and two carts, with such implements of  
 18372 agriculture as the superintendant of Indian affairs may think  
 18373 necessary; and shall employ such persons to aid and instruct  
 18374 them in their agriculture, as the President of the United States  
 18375 may deem expedient; and shall provide and support a black-  
 18376 smith for them.

18377 ARTICLE 5. Out of the lands herein ceded by the Kansas  
 18378 Nation to the United States, the commissioner aforesaid, in be-  
 18379 half of the said United States, doth further covenant and agree  
 18380 that thirty-six sections of good lands, on the Big Blue River,  
 18381 shall be laid out under the direction of the President of the  
 18382 United States, and sold for the purpose of raising a fund, to be  
 18383 applied, under the direction of the President, to the support of

18384 schools for the education of the Kansas children within their  
18385 nation.

18386 ARTICLE 6. From the lands above ceded to the United States  
18387 there shall be made the following reservations, of one mile  
18388 square, for each of the half-breeds of the Kansas Nation, viz :  
18389 For Adel and Clement, the two children of Clement ; for Josette,  
18390 Julie, Pelagie, and Victorie, the four children of Louis Gonvil ;  
18391 for Marie and Lafleche, the two children of Baptiste of Gonvil ;  
18392 for Laventure, the son of Francis Laventure ; for Elizabeth and  
18393 Pierre Carbonau, the children of Pierre Brisa ; for Louis Jon-  
18394 cas ; for Basil Joncas ; for James Joncas ; for Elizabeth Datche-  
18395 rute, daughter of Baptiste Datcherute ; for Joseph Butler ; for  
18396 William Rodgers ; for Joseph Coté ; for the four children of  
18397 Cicili Compare, each one mile square ; and one for Joseph James,  
18398 to be located on the north side of the Kansas River, in the order  
18399 above named, commencing at the line of the Kansas reserva-  
18400 tion, and extending down the Kansas River for quantity.

18401 ARTICLE 7. With the view of quieting all animosities which  
18402 may at present exist between a part of the white citizens of Mis-  
18403 souri and the Kansas Nation, in consequence of the lawless dep-  
18404 redations of the latter, the United States do further agree to  
18405 pay to their own citizens the full value of such property as they  
18406 can legally prove to have been stolen or destroyed since the  
18407 year 1815: *Provided*, The sum so to be paid by the United States  
18408 shall not exceed the sum of three thousand dollars.

18409 ARTICLE 8. And whereas the Kansas are indebted to Fran-  
18410 cis G. Choteau, for credits given them in trade, which they are  
18411 unable to pay, and which they have particularly requested to  
18412 have included and settled in the present treaty ; it is, therefore,  
18413 agreed on, by and between the parties to these presents, that the  
18414 sum of five hundred dollars, towards the liquidation of said  
18415 debt, shall be paid by the United States to the said Francis G.  
18416 Choteau.

18417 ARTICLE 9. There shall be selected at this place such mer-  
18418 chandize as may be desired, amounting to two thousand dollars,  
18419 to be delivered at the Kansas River, with as little delay as pos-  
18420 sible ; and there shall be paid to the deputation now here two  
18421 thousand dollars in merchandize and horses, the receipt of which  
18422 is hereby acknowledged ; which, together with the amount agreed  
18423 on in the 3d and 4th articles, and the provisions made in the  
18424 other articles of this treaty, shall be considered as a full compen-  
18425 sation for the cession herein made.

18426 ARTICLE 10. Lest the friendship which is now established  
18427 between the United States and the said Indian nation should  
18428 be interrupted by the misconduct of individuals, it is hereby  
18429 agreed, that for injuries done by individuals, no private revenge

18430 or retaliation shall take place, but instead thereof complaints  
 18431 shall be made by the party injured to the other, by the said na-  
 18432 tion, to the superintendent, or other person appointed by the  
 18433 President to the chiefs of said nation. And it shall be the duty  
 18434 of the said chiefs, upon complaints being made as aforesaid, to  
 18435 deliver up the person or persons against whom the complaint is  
 18436 made, to the end that he or they may be punished, agreeably to  
 18437 the laws of the State or Territory where the offence may have  
 18438 been committed; and in like manner, if any robbery, violence,  
 18439 or murder, shall be committed on any Indian or Indians belong-  
 18440 ing to said nation, the person or persons so offending shall be  
 18441 tried, and, if found guilty, shall be punished in like manner as  
 18442 if the injury had been done to a white man. And it is agreed  
 18443 that the chiefs of the Kansas shall, to the utmost of their power,  
 18444 exert themselves to recover horses or other property which may  
 18445 be stolen from any citizen or citizens of the United States, by  
 18446 any individual or individuals of the nation; and the property  
 18447 so recovered shall be forthwith delivered to the superintendent,  
 18448 or other person authorized to receive it, that it may be restored  
 18449 to its proper owner; and in cases where the exertions of the  
 18450 chiefs shall be ineffectual in recovering the property stolen as  
 18451 aforesaid, if sufficient proof can be adduced that such property  
 18452 was actually stolen, by any Indian or Indians belonging to the  
 18453 said nation, the superintendent or other officer may deduct from  
 18454 the annuity of the said nation a sum equal to the value of the  
 18455 property which has been stolen. And the United States hereby  
 18456 guarantee, to any Indian or Indians, a full indemnification for  
 18457 any horses or other property which may be stolen from them by  
 18458 any of their citizens: *Provided*, That the property so stolen  
 18459 cannot be recovered, and that sufficient proof is produced that  
 18460 it was actually stolen by a citizen of the United States. And  
 18461 the said nation of Kansas engage, on the requisition or demand  
 18462 of the President of the United States, or of the superintendent,  
 18463 to deliver up any white man resident amongst them.

18464 ARTICLE 11. It is further agreed on, by and between the  
 18465 parties to these presents, that the United States shall forever  
 18466 enjoy the right to navigate freely all water-courses or navi-  
 18467 gable streams within the limits of the tract of country herein  
 18468 reserved to the Kansas Nation; and that the said Kansas Nation  
 18469 shall never sell, relinquish, or in any manner dispose of the  
 18470 lands herein reserved, to any other nation, person or persons  
 18471 whatever, without the permission of the United States for that  
 18472 purpose first had and obtained. And shall ever remain under  
 18473 the protection of the United States, and in friendship with them.

18474 ARTICLE 12. This treaty shall take effect, and be obligatory  
 18475 on the contracting parties, as soon as the same shall be ratified

18476 by the President, by and with the consent and advice of the  
18477 Senate of the United States.

18478 Proclaimed December 30, 1825.

18479 Whereas the Congress of the United States of America  
18480 being anxious to promote a direct commercial and friendly inter-  
18481 course between the citizens of the United States and those of the  
18482 Mexican republic, and to afford protection to the same, did, at  
18483 their last session, pass an act, which was approved the 3d March,  
18484 1825, "to authorize the President of the United States to cause  
18485 a road to be marked out from the western frontier of Missouri  
18486 to the confines of New Mexico," and which authorizes the Pres-  
18487 ident of the United States to appoint commissioners to carry  
18488 said act of Congress into effect, and enjoins on the commission-  
18489 ers, so to be appointed, that they first obtain the consent of the  
18490 intervening tribes of Indians, by treaty, to the marking of said  
18491 road and to the unmolested use thereof to the citizens of the  
18492 United States and of the Mexican republic; and Benjamin H.  
18493 Reeves, Geo. C. Sibley, and Thomas Mather, being duly ap-  
18494 pointed commissioners as aforesaid, and being duly and fully  
18495 authorized, have this day met the chiefs and head-men of the  
18496 Kansas tribe of Indians, who, being all duly authorized, to meet  
18497 and negotiate with the said commissioners upon the premises,  
18498 and being specially met for that purpose, by the invitation of  
18499 said commissioners, on the Sora Kansas Creek, two hundred  
18500 and thirty-eight miles southwestwardly from Fort Osage, have,  
18501 after due deliberation and consultation, agreed to the following  
18502 treaty, which is to be considered binding on said Kansas Indi-  
18503 ans, from and after this day:

18504 ARTICLE 1. The chiefs and head-men of the Kansas Nation,  
18505 or tribe of Indians, for themselves and their nation, do consent  
18506 and agree that the commissioners of the United States shall  
18507 and may survey and mark out a road, in such a manner as they  
18508 may think proper, through any of the territory owned or claimed  
18509 by the said Kansas tribe or nation of Indians.

18510 ARTICLE 2. The chiefs and head-men, as aforesaid, do  
18511 further agree that the road authorized in article 1 shall, when  
18512 marked, be forever free for the use of the citizens of the United  
18513 States and of the Mexican republic, who shall at all times pass  
18514 and repass thereon, without any hindrance or molestation on  
18515 the part of the said Kansas Indians.

18516 ARTICLE 3. The chiefs and head-men as aforesaid, in con-  
18517 sideration of the friendly relations existing between them and  
18518 the United States, do further promise, for themselves and their  
18519 people, that they will, on all fit occasions, render such friendly  
18520 aid and assistance as may be in their power to any of the citi-

18521 zens of the United States, or of the Mexican Republic, as they  
 18522 may at any time happen to meet or fall in with on the road  
 18523 aforesaid.

18524 ARTICLE 4. The chiefs and head-men, as aforesaid, do  
 18525 further consent and agree that the road aforesaid shall be con-  
 18526 sidered as extending to a reasonable distance on either side, so  
 18527 that travellers thereon may, at any time, leave the market track,  
 18528 for the purpose of finding subsistence and proper camping-  
 18529 places.

18530 ARTICLE 5. In consideration of the privileges granted by  
 18531 the chiefs of Kansas tribe in the three preceding articles, the  
 18532 said commissioners, on the part of the United States, have  
 18533 agreed to pay to them, the said chiefs, for themselves and their  
 18534 people, the sum of five hundred dollars; which sum is to be  
 18535 paid them as soon as may be, in money or merchandize, at their  
 18536 option, at such places as they may desire.

18537 ARTICLE 6. And the said chiefs and head-men, as aforesaid,  
 18538 acknowledge to have received from the commissioners aforesaid,  
 18539 at and before the signing of this treaty, articles of merchandize  
 18540 to the value of three hundred dollars; which sum of three hun-  
 18541 dred dollars, and the payment stipulated to be made to the said  
 18542 Kansas in article 5, shall be considered, and are so considered  
 18543 by said chiefs, as full and complete compensation for every  
 18544 priviledge herein granted by said cheifs.

18545 Proclaimed May 3, 1826.

18546 *Articles of a treaty made and concluded at the Methodist Mission in*  
 18547 *the Kansas country, between Thomas H. Harvey and Richard*  
 18548 *W. Cummins, commissioners of the United States and the Kan-*  
 18549 *sas tribe of Indians.*

18550 ARTICLE 1. The Kansas tribe of Indians cede to the United  
 18551 States two millions of acres of land on the east part of their  
 18552 country, embracing the entire width, thirty miles, and running  
 18553 west for quantity.

18554 ARTICLE 2. In consideration of the foregoing cession, the  
 18555 United States agree to pay to the Kansas Indians two hundred  
 18556 and two thousand dollars, two hundred thousand of which shall  
 18557 be funded at five per cent., the interest of which to be paid an-  
 18558 nually for thirty years, and thereafter to be diminished and paid  
 18559 *pro rata*, should their numbers decrease, but not otherwise—that  
 18560 is: the Government of the United States shall pay them the  
 18561 full interest for thirty years on the amount funded, and at the  
 18562 end of that time, should the Kansas tribe be less than at the first  
 18563 payment, they are only to receive *pro rata* the sums paid them  
 18564 at the first annuity payment. One thousand dollars of the in-

18565 terest thus accruing shall be applied annually to the purposes  
 18566 of education in their own country; one thousand dollars annu-  
 18567 ally for agricultural assistance, implements, &c.; but should the  
 18568 Kansas Indians at any time be so far advanced in agriculture  
 18569 as to render the expenditure for agricultural assistance unneces-  
 18570 sary, then the one thousand dollars above provided for that pur-  
 18571 pose shall be paid them in money with the balance of their an-  
 18572 nuity; the balance, eight thousand dollars, shall be paid them  
 18573 annually in their own country. The two thousand dollars not  
 18574 to be funded shall be expended in the following manner: first,  
 18575 the necessary expenses in negotiating this treaty; second, four  
 18576 hundred dollars shall be paid to the Missionary Society of the  
 18577 Methodist Episcopal Church for their improvements on the land  
 18578 ceded in the first article; third, six hundred dollars shall be ap-  
 18579 plied to the erection of a mill in the country in which the Kan-  
 18580 sas shall settle for their use, it being in consideration of their  
 18581 mill on the land ceded in the first article. The balance to be  
 18582 placed in the hands of their agent, as soon after the ratification  
 18583 of this treaty as practicable, for the purpose of furnishing the  
 18584 said Kansas Indians with provisions for the present year.

18585 ARTICLE 3. In order that the Kansas Indians may know  
 18586 the west line of the land which they have ceded by this treaty,  
 18587 it is agreed that the United States shall, as soon as may be  
 18588 convenient in the present year, cause the said line to be ascer-  
 18589 tained and marked by competent surveyors.

18590 ARTICLE 4. The Kansas Indians are to move from the lands  
 18591 ceded to the United States, by the first article of this treaty, by  
 18592 the first day of May, 1847.

18593 ARTICLE 5. As doubts exist whether there is a sufficiency of  
 18594 timber on the land remaining to the Kansas, after taking off the  
 18595 land ceded in the first article of this treaty, it is agreed by the  
 18596 contracting parties that after the western line of the said ces-  
 18597 sion shall be ascertained, [and] the President of the United  
 18598 States shall be satisfied that there is not a sufficiency of timber,  
 18599 he shall cause to be selected and laid off for the Kansas a situa-  
 18600 ble country, near the western boundary of the land ceded by  
 18601 this treaty, which shall remain for their use forever. In consid-  
 18602 eration of which the Kansas nation cede to the United States  
 18603 the balance of the reservation under the treaty of June 3, 1825,  
 18604 and not ceded in the first article of this treaty.

18605 ARTICLE 6. In consideration of the great distance which  
 18606 the Kansas Indians will be removed from the white settlements  
 18607 and their present agent, and their exposure to difficulties with  
 18608 other Indian tribes, it is agreed that the United States shall  
 18609 cause to reside among the Kansas Indians a sub-agent, who  
 18610 shall be especially charged with the direction of their farming

18611 operations and general improvement, and to be continued as  
 18612 long as the President of the United States should consider it  
 18613 advantageous to the Kansas.

18614 ARTICLE 7. Should the Government of the United States  
 18615 be of opinion that the Kansas Indians are not entitled to a  
 18616 smith under the fourth article of the treaty of June 3, 1825,  
 18617 it is agreed that a smith shall be supported out of the one thou-  
 18618 sand dollars provided in the fourth article for agricultural pur-  
 18619 poses.

18620 Proclaimed April 15, 1846.

18621 *Treaty between the United States of America and the Kansas tribe*  
 18622 *of Indians, concluded October 5, 1859, ratified by the Senate*  
 18623 *June 27, 1860.*

18624 JAMES BUCHANAN, President of the United States of America,  
 18625 to all and singular to whom these presents shall come, greet-  
 18626 ing:

18627 Whereas a treaty was made and concluded at the Kansas  
 18628 agency, in the Territory of Kansas, on the fifth day of October,  
 18629 eighteen hundred and fifty-nine, by and between Alfred B. Green-  
 18630 wood, commissioner on the part of the United States, and the  
 18631 hereinafter-named chiefs and head-men, representing the Kansas  
 18632 tribe of Indians, being duly authorized by said tribe, which  
 18633 treaty is in the words and figures following, to wit:

18634 Articles of agreement and convention made and concluded at  
 18635 the Kansas agency, in the Territory of Kansas, on the fifth  
 18636 day of October, eighteen hundred and fifty-nine, by and  
 18637 between Alfred B. Greenwood, commissioner on the part of  
 18638 the United States, and the following-named chiefs and head-  
 18639 men, representing the Kansas tribe of Indians, to wit: Ke-  
 18640 hi-ga-wah Chuffe, Ish-tal-a-sa, Ne-hoo-ja-in-gah, Ki-hi-ga-  
 18641 wat-te-in-gah, Ki-he-gah-cha, Al-li-ca-wah-ho, Pah-hous-ga-  
 18642 tun-gah, Ke-hah-lah-la-hu, Ki-ha-gah-chu, Ee-le-sun-gah,  
 18643 Wah-pah-jah, Ko-sah-mun-gee, Oo-ga-shama, Wah-Shunga,  
 18644 Wah-ti-inga, Wah-e-la-ga, Pa-ha-ne-ga-la, Pa-ta-go, Cahulle,  
 18645 Ma-she-tum, Wa-no-ba-ga-ha, She-ga-wa-sa, Ma-his-pa-wa-  
 18646 cha, Ma-shon-o-pusha, Ja-ha-sha-watanga, Ki-he-ga-tussa,  
 18647 and Ka-la-sha-wat-lunga, they being thereto duly authorized  
 18648 by said tribe.

18649 ARTICLE 1. The Kansas Indians having now more lands  
 18650 than are necessary for their occupation and use, and being  
 18651 desirous of promoting settled habits of industry amongst them-  
 18652 selves by abolishing the tenure in common by which they now  
 18653 hold their lands, and by assigning limited quantities thereof in

18654 severalty to the members of their tribe owning an interest in  
 18655 their present reservation, to be cultivated and improved for their  
 18656 individual use and benefit, it is agreed and stipulated that that  
 18657 portion of their reservation commencing at the southwest corner  
 18658 of said reservation, thence north with the west boundary nine  
 18659 miles, thence east fourteen miles, thence south nine miles, thence  
 18660 west with the south boundary fourteen miles to the place of  
 18661 beginning, shall be set apart and retained by them for said pur-  
 18662 poses; and that out of the same there shall be assigned to each  
 18663 head of a family not exceeding forty acres, and to each member  
 18664 thereof not exceeding forty acres, and to each single male per-  
 18665 son of the age of twenty-one years and upwards not exceeding  
 18666 forty acres of land, to include in every case, as far as practicable,  
 18667 a reasonable proportion of timber. One hundred and sixty acres  
 18668 of said retained lands, in a suitable locality, shall also be set  
 18669 apart and appropriated to the occupancy and use of the agency  
 18670 of said Indians, and one hundred and sixty acres of said lands  
 18671 shall also be reserved for the establishment of a school for the  
 18672 education of the youth of the tribe.

18673       ARTICLE 2. The lands to be so assigned, including those for  
 18674 the use of the agency, and those reserved for school purposes, shall  
 18675 be in as regular and compact a body as possible, and so as to admit  
 18676 of a distinct and well-defined exterior boundary, embracing the  
 18677 whole of them, and any intermediate portions or parcels of land  
 18678 or water not included in or made part of the tracts assigned in  
 18679 severalty. Any such intermediate parcels of land and water  
 18680 shall be owned by the Kansas tribe of Indians in common; but  
 18681 in case of increase in the tribe, or other cause rendering it neces-  
 18682 sary or expedient, the said intermediate parcels of land shall be  
 18683 subject to distribution and assignment in such manner as the  
 18684 Secretary of the Interior shall prescribe and direct. The whole  
 18685 of the lands assigned or unassigned in severalty, embraced with-  
 18686 in the said exterior boundary, shall constitute and be known as  
 18687 the Kansas reservation, within and over which all laws passed,  
 18688 or which may be passed by Congress, regulating trade and inter-  
 18689 course with the Indian tribes, shall have full force and effect.  
 18690 And no white person, except such as shall be in the employment  
 18691 of the United States, shall be allowed to reside or go upon any  
 18692 portion of said reservation without the written permission of  
 18693 the superintendent of Indian affairs, or of the agent for the  
 18694 tribe.

18695       ARTICLE 3. Said division and assignment of lands to the  
 18696 Kansas tribe of Indians in severalty shall be made under the  
 18697 direction of the Secretary of the Interior, and when approved  
 18698 by him shall be final and conclusive. Certificates shall be is-  
 18699 sued by the Commissioner of Indian Affairs for the tracts so

18700 assigned, specifying the names of the individuals to whom they  
 18701 have been assigned respectively, and that they are for the ex-  
 18702 clusive use and benefit of themselves, their heirs and descend-  
 18703 ants, and said tracts shall not be alienated in fee, leased, or  
 18704 otherwise disposed of, except to the United States or to other  
 18705 members of the tribe, under such rules and regulations as may  
 18706 be prescribed by the Secretary of the Interior; and they shall  
 18707 be exempt from taxation, levy, sale, or forfeiture, until other-  
 18708 wise provided by Congress. Prior to the issue of said certifi-  
 18709 cates, the Secretary of the Interior shall make such rules and  
 18710 regulations as he may deem necessary and expedient respecting  
 18711 the disposition of any of said tracts, in case of the death of the  
 18712 person or persons to whom they may be assigned, so that the  
 18713 same shall be secured to the families of such deceased persons;  
 18714 and should any of the Indians to whom tracts shall be assigned  
 18715 abandon them, the said Secretary may take such action in re-  
 18716 lation to the proper disposition thereof as in his judgment may  
 18717 be necessary and proper.

18718       ARTICLE 4. For the purpose of procuring the means of  
 18719 comfortably establishing the Kansas tribe of Indians upon the  
 18720 lands to be assigned to them in severalty, by building them  
 18721 houses, and by furnishing them with agricultural implements,  
 18722 stock animals, and other necessary aid and facilities for com-  
 18723 mencing agricultural pursuits under favorable circumstances,  
 18724 the lands embraced in that portion not stipulated to be retained  
 18725 and divided as aforesaid shall be sold, under the direction of  
 18726 the Secretary of the Interior, in parcels not exceeding one hun-  
 18727 dred and sixty acres each, to the highest bidder for cash, the  
 18728 sale to be made upon sealed proposals to be duly invited by pub-  
 18729 lic advertisement, and should any of the tracts so to be so sold  
 18730 have upon them improvements of any kind, which were made  
 18731 by or for the Indians, or for Government purposes, the proposals  
 18732 therefor must state the price for both the land and improve-  
 18733 ments, and if, after assigning to all the members of the tribe en-  
 18734 titled thereto their proportions in severalty, there shall remain a  
 18735 surplus of that portion of the reservation retained for that purpose,  
 18736 outside of the exterior boundary-line of the lands assigned in  
 18737 severalty, the Secretary of the Interior shall be authorized and em-  
 18738 powered, whenever he shall think proper, to cause such surplus to  
 18739 be sold in the same manner as the other lands to be so disposed of,  
 18740 and the proceeds thereof to be expended for their benefit in such  
 18741 manner as the Secretary of the Interior may deem proper:  
 18742 *Provided*, That all those who had in good faith settled and made  
 18743 improvements upon said reservation prior to the second day of  
 18744 December, eighteen hundred and fifty-six, (that being the day  
 18745 when the survey was certified by the agent of the tribe,) and

18746 who would have been entitled to enter their improvements under  
 18747 any general or special pre-emption law, (had their improvements  
 18748 not fallen within the reservation,) such settlers shall be permitted  
 18749 to enter their improvements at the sum of one dollar and seventy-  
 18750 five cents per acre in cash, said entries to be made in legal sub-  
 18751 divisions and in such quantities as the pre-emption laws under  
 18752 which they may claim entitle them to locate ; payments to be made  
 18753 on or before a day to be named by the Secretary of the Interior :  
 18754 *And provided further*, That all those who had in good faith set-  
 18755 tled upon that portion of the reservation retained by this treaty  
 18756 for the future homes of the Kansas tribe of Indians, and had  
 18757 made *bona-fide* improvements thereon prior to the second day of  
 18758 December, eighteen hundred and fifty-six, aforesaid, and who  
 18759 would have been entitled to enter their lands, under the general  
 18760 pre-emption law, at one dollar and twenty-five cents per acre,  
 18761 had their improvements not fallen upon the reservation, such  
 18762 settlers shall be entitled to receive a fair compensation for their  
 18763 improvements, to be ascertained by the Commissioner of Indian  
 18764 Affairs, under the direction of the Secretary of the Interior ;  
 18765 such compensation to be paid out of the proceeds of the lands  
 18766 sold in trust for said tribe of Indians. All questions growing  
 18767 out of this amendment, and rights claimed in consequence  
 18768 thereof, shall be determined by the Commissioner of Indian Af-  
 18769 fairs, to be approved by the Secretary of the Interior. And in  
 18770 all cases where licensed traders, or others lawfully there, may  
 18771 have made improvements upon said reservation, the Secre-  
 18772 tary of the Interior shall have power to adjust the claims of  
 18773 each upon fair and equitable terms, they paying a fair value for  
 18774 the lands awarded to such persons, and shall cause patents to  
 18775 issue in pursuance of such award.

18776 ARTICLE 5. The Kansas tribe of Indians being anxious to  
 18777 relieve themselves from the burden of their *present* liabilities,  
 18778 and it being very essential to their welfare that they shall be  
 18779 enabled to commence their new mode of life and pursuits free  
 18780 from the annoyance and embarrassment thereof, or which may be  
 18781 occasioned thereby, it is agreed that the same shall be liquidated  
 18782 and paid out of the fund arising from the sale of their surplus  
 18783 lands so far as found valid and just, (if they have the means,)  
 18784 on an examination thereof, to be made by their agent and the  
 18785 superintendent of Indian affairs for the central superintendency,  
 18786 subject to revision and confirmation by the Secretary of the  
 18787 Interior.

18788 ARTICLE 6. Should the proceeds of the surplus lands of the  
 18789 Kansas tribe of Indians not prove to be sufficient to carry out  
 18790 the purposes and stipulations of this agreement, and some fur-  
 18791 ther aid be necessary, from time to time, to enable said Indians

18792 to sustain themselves successfully in agricultural and other in-  
 18793 dustrial pursuits, such additional means may be taken, so far as  
 18794 may be necessary, from the moneys due and belonging to them  
 18795 under the provisions of former treaties, and so much thereof as  
 18796 may be required to furnish further aid as aforesaid shall be ap-  
 18797 plied in such manner, under the direction of the Secretary of the  
 18798 Interior, as he shall consider best calculated to promote and ad-  
 18799 vance their improvement and welfare.

18800 ARTICLE 7. In order to render unnecessary any further  
 18801 treaty engagements or arrangements hereafter with the United  
 18802 States, it is hereby agreed and stipulated that the President,  
 18803 with the assent of Congress, shall have full power to modify or  
 18804 change any of the provisions of former treaties with the Kansas  
 18805 tribe of Indians in such manner and to whatever extent he may  
 18806 judge to be necessary and expedient for their welfare and best  
 18807 interest.

18808 ARTICLE 8. All the expenses connected with and incident  
 18809 to the making of this agreement, and the carrying out its pro-  
 18810 visions, shall be defrayed out of the funds of the Kansas tribe  
 18811 of Indians.

18812 ARTICLE 9. The Kansas tribe of Indians being desirous of  
 18813 manifesting their good-will towards the children of their half-  
 18814 breed relatives now residing upon the half-breed tract on the  
 18815 north side of the Kansas River, agree that out of the tract re-  
 18816 tained by this agreement there shall also be assigned, in sever-  
 18817 alty, to the eight children of Julia Pappan forty acres each, to  
 18818 the three children of Adel Bellmard, to the four children of Ja-  
 18819 sette Gouville, to the child of Lewis Pappan, to the four chil-  
 18820 dren of Pelagia Obrey, to the child of Acaw Pappan, to the  
 18821 two children of Victoria Pappan, to the two children of Eliza-  
 18822 beth Carboneau, to the child of Victoria Williams, to the child  
 18823 of Joseph Butler, to the child of Joseph James, to the two chil-  
 18824 dren of Pelagia Pushal, Frank James, and Batest Gouville,  
 18825 forty acres each, but the land so to be assigned under this article  
 18826 shall not be alienated in fee, leased, or otherwise disposed of,  
 18827 except to the United States, or to other members of the tribe,  
 18828 under such regulations as may be prescribed by the Secretary  
 18829 of [the] Interior.

18830 ARTICLE 10. It is agreed that all roads and highways laid  
 18831 out by authority of law shall have right of way through the  
 18832 lands within the reservation hereinbefore specified, on the same  
 18833 terms as are provided by law when roads and highways are  
 18834 made through lands of citizens of the United States; and rail-  
 18835 road companies, when the lines pass through the lands of said  
 18836 Indians, shall have right of way on the payment of a just com-  
 18837 pensation therefor in money.

18838 ARTICLE 11. This instrument shall be obligatory on the  
 18839 contracting parties whenever the same shall be ratified by the  
 18840 President and Senate of the United States.

18841 Proclaimed November 17, 1860.

18842 *Treaty between the United States of America and the Kansas tribe*  
 18843 *of Indians, concluded at the Kansas agency, in Kansas, March*  
 18844 *13, 1862; ratified, with amendment, February 6, 1863; amend-*  
 18845 *ment assented to February 26, 1863.*

18846 *By the President of the United States of America.*

18847 A PROCLAMATION.

18848 *To all and singular to whom these presents shall come, greeting:*

18849 Whereas a treaty was made and concluded at the Kansas  
 18850 agency, in the State of Kansas, on the thirteenth day of March,  
 18851 in the year of our Lord eighteen hundred and sixty-two, by and  
 18852 between H. W. Farnsworth, commissioner on the part of the  
 18853 United States, and the hereinafter-named chiefs and head-men  
 18854 of the Kansas tribe of Indians, representing said Indians and  
 18855 duly authorized thereto by them, which treaty is in the words  
 18856 and figures following, to wit:

18857 Whereas a treaty was made and concluded at the Kansas  
 18858 agency in the then Territory, but now State, of Kansas, on the  
 18859 fifth day of October, A. D. 1859, by and between Alfred B.  
 18860 Greenwood, commissioner on the part of the United States, and  
 18861 the chiefs and head-men representing the Kansas tribe of Indians,  
 18862 and authorized by said tribe for that purpose; which treaty,  
 18863 after having been submitted to the Senate of the United States  
 18864 for its constitutional action thereon, was duly accepted, ratified,  
 18865 and confirmed by the President of the United States, on the  
 18866 seventeenth day of November, A. D. 1860, with an amendment  
 18867 to the fourth article thereof, which amendment, first proposed  
 18868 and made by the Senate on the twenty-seventh day of June, A.  
 18869 D. 1860, was afterwards agreed to and ratified by the aforesaid  
 18870 chiefs and head-men of the Kansas tribe of Indians on the fourth  
 18871 day of October of the same year:

18872 Now, therefore, it is further agreed and concluded on this  
 18873 thirteenth day of March, A. D. 1862, by and between H. W.  
 18874 Farnsworth, a commissioner on the part of the United States,  
 18875 and the said Kansas tribe of Indians, by their authorized repre-  
 18876 sentatives, the chiefs and head-men thereof, to wit:

18877 ARTICLE 1. That the said treaty and the amendment thereof  
 18878 be further amended so as to provide that a fair and reasonable  
 18879 value of the improvements made by persons who settled on the

18880 diminished reserve of said Kansas Indians between the second  
 18881 day of December, A. D. 1856, and the fifth day of October, A.  
 18882 D. 1859, shall be ascertained by the Secretary of the Interior,  
 18883 and certificates of indebtedness by said tribe shall be issued by  
 18884 him to each of such persons for an amount equal to the appraise-  
 18885 ment of his or her improvements, as aforesaid; and that like  
 18886 certificates shall be issued to the class of persons who settled  
 18887 on said diminished reservation prior to the second day of De-  
 18888 cember, A. D. 1856, for the amounts of the respective claims as  
 18889 provided for and ascertained under the provisions of the amend-  
 18890 ment of said treaty; and that like certificates be issued to the  
 18891 owners of the same for the amounts of claims which have been  
 18892 examined and approved by the agent and superintendent, and  
 18893 revised and confirmed by the Secretary of the Interior, under  
 18894 the provisions of the 5th article of said treaty, and that all such  
 18895 certificates shall be receivable as cash, to the amount for which  
 18896 they may be issued, in payment for lands purchased or entered  
 18897 on that part of the first assigned reservation outside of said  
 18898 diminished reservation, or of any part of the diminished reser-  
 18899 vation that may hereafter be offered for sale, or may be redeemed  
 18900 and paid out of the proceeds of sales of lands when such pro-  
 18901 ceeds have not theretofore been made applicable to other pur-  
 18902 poses named in said treaty.

18903 ARTICLE 2. The Kansas tribe of Indians, being desirous of  
 18904 making a suitable expression of the obligations the said tribe  
 18905 are under to Thomas S. Huffaker, for the many services rendered  
 18906 by said Huffaker as missionary, teacher, and friendly counsellor  
 18907 of said tribe of Indians, hereby authorize and request the Sec-  
 18908 retary of the Interior to convey to the said Thomas S. Huffaker  
 18909 the half-section of land on which he has resided and improved  
 18910 and cultivated since the year A. D. 1851, it being the south half  
 18911 of section eleven, (11,) in township numbered sixteen (16) south,  
 18912 range numbered eight (8) east, of the sixth principal meridian,  
 18913 Kansas.

18914 Proclaimed February 6, 1863.

# 18915 KASKASKIAS.

18916 *A treaty between the United States of America and the Kaskaskia*  
 18917 *tribe of Indians.*

18918 Articles of a treaty made at Vincennes, in the Indiana Territory,  
 18919 between William Henry Harrison, governor of the said Terri-  
 18920 tory, superintendent of Indian affairs and commissioner pleni-  
 18921 potentiary of the United States for concluding any treaty or

18922 treaties which may be found necessary with any of the  
 18923 Indian tribes northwest of the river Ohio, of the one part,  
 18924 and the head chiefs and warriors of the Kaskaskia tribe of  
 18925 Indians, so called, but which tribe is the remains and right-  
 18926 fully represent all the tribes of the Illinois Indians, origi-  
 18927 nally called the Kaskaskia, Mitchigamia, Cahokia, and  
 18928 Tamaroi, of the other part:

18929 ARTICLE 1. Whereas, from a variety of unfortunate circum-  
 18930 stances, the several tribes of Illinois Indians are reduced to a  
 18931 very small number, the remains of which have been long con-  
 18932 solidated and known by the name of the Kaskaskia tribe, and  
 18933 finding themselves unable to occupy the extensive tract of  
 18934 country which of right belongs to them and which was possessed  
 18935 by their ancestors for many generations, the chiefs and warriors  
 18936 of the said tribe being also desirous of procuring the means of im-  
 18937 provement in the arts of civilized life, and a more certain and  
 18938 effectual support for their women and children, have, for the  
 18939 considerations hereinafter mentioned, relinquished, and by these  
 18940 presents do relinquish and cede to the United States, all the lands  
 18941 in the Illinois country which the said tribe has heretofore pos-  
 18942 sessed, or which they may rightfully claim, reserving to them-  
 18943 selves, however, the tract of about three hundred and fifty acres  
 18944 near the town of Kaskaskia, which they have always held and  
 18945 which was secured to them by the act of Congress of the third  
 18946 day of March, one thousand seven hundred and ninety-one, and  
 18947 also the right of locating one other tract of twelve hundred and  
 18948 eighty acres within the bounds of that now ceded, which two  
 18949 tracts of land shall remain to them forever.

18950 ARTICLE 2. The United States will take the Kaskaskia  
 18951 tribe under their immediate care and patronage, and will afford  
 18952 them a protection as effectual against the other Indian tribes  
 18953 and against all other persons whatever as is enjoyed by their  
 18954 own citizens. And the said Kaskaskia tribe do hereby engage  
 18955 to refrain from making war or giving any insult or offence to  
 18956 any other Indian tribe or to any foreign nation, without having  
 18957 first obtained the approbation and consent of the United States.

18958 ARTICLE 3. The annuity heretofore given by the United  
 18959 States to the said tribe shall be increased to one thousand dol-  
 18960 lars, which is to be paid to them either in money, merchandize,  
 18961 provisions, or domestic animals, at the option of the said tribe;  
 18962 and when the said annuity or any part thereof is paid in mer-  
 18963 chandize, it is to be delivered to them either at Vincennes, Fort  
 18964 Massac, or Kaskaskia, and the first cost of the goods in the sea-  
 18965 port where they may be procured is alone to be charged to the  
 18966 said tribe free from the cost of transportation, or any other con-

tingent expence. Whenever the said tribe may choose to receive money, provisions, or domestic animals for the whole or in part of the said annuity, the same shall be delivered at the town of Kaskaskia. The United States will also cause to be built a house suitable for the accommodation of the chief of the said tribe, and will enclose for their use a field not exceeding one hundred acres with a good and sufficient fence. And whereas the greater part of the said tribe have been baptised and received into the Catholic church, to which they are much attached, the United States will give annually, for seven years, one hundred dollars towards the support of a priest of that religion, who will engage to perform for the said tribe the duties of his office, and also to instruct as many of their children as possible in the rudiments of literature. And the United States will further give the sum of three hundred dollars to assist the said tribe in the erection of a church. The stipulations made in this and the preceding article, together with the sum of five hundred and eighty dollars, which is now paid or assured to be paid for the said tribe for the purpose of procuring some necessary articles, and to relieve them from debts which they have heretofore contracted, is considered as a full and ample compensation for the relinquishment made to the United States in the first article.

ARTICLE 4. The United States reserve to themselves the right at any future period of dividing the annuity now promised to the said tribe amongst the several families thereof, reserving always a suitable sum for the great chief and his family.

ARTICLE 5. And to the end that the United States may be enabled to fix with the other Indian tribes a boundary between their respective claims, the chiefs and head-warriors of the said Kaskaskia tribe do hereby declare that their rightful claim is as follows, viz: Beginning at the confluence of the Ohio and the Mississippi; thence up the Ohio to the mouth of the Saline Creek, about twelve miles below the mouth of the Wabash; thence along the dividing ridge between the said creek and the Wabash until it comes to the general dividing ridge between the waters which fall into the Wabash and those which fall into the Kaskaskia river; and thence along the said ridge until it reaches the waters which fall into the Illinois River; thence in a direct course to the mouth of the Illinois River; and thence down the Mississippi to the beginning.

ARTICLE 6. As long as the lands which have been ceded by this treaty shall continue to be the property of the United States, the said tribe shall have the privilege of living and hunting upon them in the same manner that they have hitherto done.

ARTICLE 7. This treaty is to be in force and binding upon

19012 the said parties as soon as it shall be ratified by the President  
19013 and Senate of the United States.

19014 Proclaimed December 23, 1803.

19015 N. B. All claims for annuities and for damages are re-  
19016 moved by the next treaty.

19017 KASKASKIAS, PEORIAS, ETC.

19018 FRANKLIN PIERCE, President of the United States of America,  
19019 to all and singular to whom these presents shall come,  
19020 greeting.

19021 Whereas a treaty was made and concluded on the thirtieth  
19022 day of May, one thousand eight hundred and fifty-four, by  
19023 George W. Manypenny, commissioner on the part of the United  
19024 States, and the following-named delegates of the united tribes of  
19025 Kaskaskia and Peoria, Piankeshaw and Wea Indians, viz: Kio-  
19026 kaw-mo-zan, David Lykins; Sa-wa-ne-ke-ah, or Wilson; Sha-  
19027 cah-quah, or Andrew Chick; Ta-co-nah, or Mitchell; Che-swa-wa,  
19028 or Rogers; and Yellow Beaver, thereto duly authorized by said  
19029 tribes; which treaty is in the words following, to wit:

19030 Articles of agreement and convention made and concluded at  
19031 the city of Washington, this thirtieth day of May, one  
19032 thousand eight hundred and fifty-four, by George W.  
19033 Manypenny, commissioner on the part of the United States,  
19034 and the following-named delegates representing the united  
19035 tribes of Kaskaskia and Peoria, Piankeshaw and Wea  
19036 Indians, viz: Kio-kaw-mo-zan, David Lykins; Sa-wa-ne-  
19037 ke-ah, or Wilson; Sha-cah-quah, or Andrew Chick; Ta-ko-  
19038 nah, or Mitchel; Che-swa-wa, or Rogers; and Yellow Bea-  
19039 ver, they being duly authorized thereto by the said Indians.

19040 ARTICLE 1. The tribes of Kaskaskia and Peoria Indians,  
19041 and of Piankeshaw and Wea Indians, parties to the two treaties  
19042 made with them respectively by William Clark, Frank J. Allen,  
19043 and Nathan Kouns, commissioners on the part of the United  
19044 States, at Castor Hill, on the twenty-seventh and twenty-ninth  
19045 days of October, one thousand eight hundred and thirty-two,  
19046 having recently in joint council assembled, united themselves  
19047 into a single tribe, and having expressed a desire to be recognized  
19048 and regarded as such, the United States hereby assent to the  
19049 action of said joint council to this end, and now recognize the  
19050 delegates who sign and seal this instrument as the authorized  
19051 representatives of said consolidated tribe.

19052 ARTICLE 2. The said Kaskaskias and Peorias, and the said

19053 Piankeshaws and Weas, hereby cede and convey to the United  
 19054 States all their right, title, and interest in and to the tracts of  
 19055 country granted and assigned to them, respectively, by the  
 19056 fourth article of the treaty of October twenty-seventh, and the  
 19057 second article of the treaty of October twenty-ninth, one thou-  
 19058 sand eight hundred and thirty-two, for a particular description  
 19059 of said tracts, reference being had to said articles; excepting  
 19060 and reserving therefrom a quantity of land equal to one hundred  
 19061 and sixty acres for each soul in said united tribe, according to a  
 19062 schedule attached to this instrument, and ten sections additional,  
 19063 to be held as the common property of the said tribe, and also the  
 19064 grant to the American Indian Mission Association, hereinafter  
 19065 specifically set forth.

19066 ARTICLE 3. It is agreed that the United States shall, as  
 19067 soon as it can conveniently be done, cause the lands hereby  
 19068 ceded to be surveyed as the public lands are surveyed; and,  
 19069 that the individuals and heads of families shall, within ninety  
 19070 days after the approval of the surveys, select the quantity of  
 19071 land therefrom to which they may be respectively entitled as  
 19072 specified in the second article hereof; and that the selections  
 19073 shall be so made as to include in each case, as far as possi-  
 19074 ble, the present residences and improvements of each; and  
 19075 where that is not practicable, the selections shall fall on lands in  
 19076 the same neighborhood; and if, by reason of absence or other-  
 19077 wise, the above-mentioned selections shall not all be made before  
 19078 the expiration of said period, the chiefs of the said united  
 19079 tribe shall proceed to select lands for those in default; and shall  
 19080 also, after completing said last-named selections, choose ten sec-  
 19081 tions reserved to the tribe; and said chiefs in the execution of  
 19082 the duty hereby assigned them shall select lands lying adjacent  
 19083 to or in the vicinity of those that have been previously chosen  
 19084 by individuals. All selections in this article provided for shall  
 19085 be made in conformity with the legal subdivisions of the Uni-  
 19086 ted States lands, and shall be reported immediately in writing,  
 19087 with apt descriptions of the same, to the agent for the tribe.  
 19088 Patents for the lands selected by or for individuals or families  
 19089 may be issued subject to such restrictions respecting leases and  
 19090 alienation as the President or Congress of the United States  
 19091 may prescribe. When selections are so made or attempted to  
 19092 be made as to produce injury to or controversies between indi-  
 19093 viduals, which cannot be settled by the parties, the matters of  
 19094 difficulty shall be investigated and decided on equitable terms  
 19095 by the council of the tribe, subject to appeal to the agent, whose  
 19096 decision shall be final and conclusive.

19097 ARTICLE 4. After the aforesaid selections shall have been  
 19098 made, the President shall immediately cause the residue of the

19099 ceded lands to be offered for sale at public auction, being gov-  
 19100 erned in all respects in conducting such sale by the laws of the  
 19101 United States for the sale of public lands, and such of said lands  
 19102 as may not be sold at public sale shall be subject to private  
 19103 entry at the minimum price of United States lands, for the term  
 19104 of three years; and should any thereafter remain unsold, Con-  
 19105 gress may, by law, reduce the price from time to time, until the  
 19106 whole of said lands are disposed of, proper regard being had in  
 19107 making the reduction to the interests of the Indians and to the  
 19108 settlement of the country. And in consideration of the cessions  
 19109 hereinbefore made, the United States agree to pay to the said  
 19110 Indians, as hereinafter provided, all the moneys arising from  
 19111 the sales of said lands after deducting therefrom the actual cost  
 19112 of surveying, managing, and selling the same.

19113 ARTICLE 5. The said united tribes appreciate the importance  
 19114 and usefulness of the mission established in their country by  
 19115 the board of the American Indian Mission Association, and  
 19116 desiring that it shall continue with them, they hereby grant unto  
 19117 said board a tract of one section of six hundred and forty acres  
 19118 of land, which they, by their chiefs, in connection with the  
 19119 proper agent of the board, will select; and it is agreed that after  
 19120 the selections shall have been made, the President shall issue to  
 19121 such person or persons as the aforesaid board may designate a  
 19122 patent for the same.

19123 ARTICLE 6. The said Kaskaskias and Peorias, and the said  
 19124 Piankeshaws and Weas, have now, by virtue of the stipulations  
 19125 of former treaties, permanent annuities, amounting in all to  
 19126 three thousand eight hundred dollars per annum, which they  
 19127 hereby relinquish and release, and from the further payment  
 19128 of which they forever absolve the United States; and they also  
 19129 release and discharge the United States from all claims of dam-  
 19130 ages of every kind by reason of the non-fulfilment of former  
 19131 treaty stipulations, or of injuries to or losses of stock or other  
 19132 property by the wrongful acts of citizens of the United States;  
 19133 and in consideration of the relinquishments and releases afore-  
 19134 said, the United States agree to pay to said united tribe, under  
 19135 the direction of the President, the sum of sixty-six thousand  
 19136 dollars, in six annual instalments, as follows: In the month of  
 19137 October, in each of the years one thousand eight hundred and  
 19138 fifty-four, one thousand eight hundred and fifty-five, and one  
 19139 thousand eight hundred and fifty-six, the sum of thirteen thou-  
 19140 sand dollars, and in the same month in each of the years one  
 19141 thousand eight hundred and fifty-seven, one thousand eight hun-  
 19142 dred and fifty-eight, and one thousand eight hundred and fifty-  
 19143 nine, nine thousand dollars, and also to furnish said tribe with

19144 an interpreter and a blacksmith for five years, and supply the  
19145 smith-shop with iron, steel, and tools, for a like period.

19146 ARTICLE 7. The annual payments provided for in article six  
19147 are designed to be expended by the Indians, chiefly in extend-  
19148 ing their farming operations, building houses, purchasing stock,  
19149 agricultural implements, and such other things as may promote  
19150 their improvement and comfort, and shall so be applied by them.  
19151 But at their request it is agreed that from each of the said  
19152 annual payments the sum of five hundred dollars shall be re-  
19153 served for the support of the aged and infirm, and the sum of  
19154 two thousand dollars shall be set off and applied to the educa-  
19155 tion of their youth; and from each of the first three there shall  
19156 also be set apart and applied the further sum of two thou-  
19157 sand dollars, to enable said Indians to settle their affairs. And as  
19158 the amount of the annual receipt from the sales of their lands  
19159 cannot now be ascertained, it is agreed that the President may,  
19160 from time to time, and upon consultation with said Indians,  
19161 determine how much of the net proceeds of said sales shall be  
19162 paid them, and how much shall be invested in safe and profita-  
19163 ble stocks, the interest to be annually paid to them, or expended  
19164 for their benefit and improvement.

19165 ARTICLE 8. Citizens of the United States, or other persons  
19166 not members of said united tribe, shall not be permitted to make  
19167 locations or settlements in the country herein ceded until after  
19168 the selections provided for have been made by said Indians;  
19169 and the provisions of the act of Congress approved March third,  
19170 one thousand eight hundred and seven, in relation to lands  
19171 ceded to the United States, shall, so far as the same are appli-  
19172 cable, be extended to the lands herein ceded.

19173 ARTICLE 9. The debts of individuals of the tribe, con-  
19174 tracted in their private dealings, whether to traders or other-  
19175 wise, shall not be paid out of the general funds. And should  
19176 any of said Indians become intemperate or abandoned, and waste  
19177 their property, the President may withhold any moneys due or  
19178 payable to such, and cause them to be paid, expended, or applied,  
19179 so as to ensure the benefit thereof to their families.

19180 ARTICLE 10. The said Indians promise to renew their efforts  
19181 to prevent the introduction and use of ardent spirits in their  
19182 country, to encourage industry, thrift, and morality, and by  
19183 every possible means to promote their advancement in civiliza-  
19184 tion. They desire to be at peace with all men, and they bind  
19185 themselves not to commit depredation or wrong upon either In-  
19186 dians or citizens; and, should difficulties at any time arise, they  
19187 will abide by the laws of the United States in such cases made  
19188 and provided, as they expect to be protected and to have their  
19189 rights vindicated by those laws.

19190 ARTICLE 11. The object of the instrument being to ad-  
 19191 vance the interests of said Indians, it is agreed, if it prove  
 19192 insufficient, from causes which cannot now be foreseen, to effect  
 19193 these ends, that the President may, by and with the advice and  
 19194 consent of the Senate, adopt such policy in the management of  
 19195 their affairs as, in his judgment, may be most beneficial to them;  
 19196 or Congress may hereafter make such provisions by law as  
 19197 experience shall prove to be necessary.

19198 ARTICLE 12. It is agreed that all roads and highways, laid  
 19199 out by authority of law, shall have right of way through the  
 19200 lands herein ceded and reserved, on the same terms as are  
 19201 provided by law, when roads and highways are made through  
 19202 lands of citizens of the United States; and railroad companies,  
 19203 when the lines of their roads necessarily pass through the lands  
 19204 of the said Indians, shall have right of way, on the payment of  
 19205 a just compensation therefor in money.

19206 ARTICLE 13. It is believed that all the persons and families  
 19207 of the said combined tribe are included in the annexed schedule,  
 19208 but should it prove otherwise, it is hereby stipulated that such  
 19209 person or family shall select from the ten sections reserved as  
 19210 common property the quantity due, according to the rules  
 19211 hereinbefore prescribed, and the residue of said ten sections, or  
 19212 all of them, as the case may be, may hereafter, on the request of  
 19213 the chiefs, be sold by the President, and the proceeds applied  
 19214 to the benefit of the Indians.

19215 ARTICLE 14. This instrument shall be obligatory on the  
 19216 contracting parties whenever the same shall be ratified by the  
 19217 President and the Senate of the United States.

19218 Proclaimed August 10, 1854.

19219 *Schedule of persons or families composing the united tribe of Weas,*  
 19220 *Piankeshaws, Peorias, and Kaskaskias, with the quantity of land*  
 19221 *to be selected in each case, as provided in the second and third*  
 19222 *articles.*

19223	Persons or families.	Males.	Females.	Total.	Number of acres.
19224	Mash-she-we-lot-ta, or Joe Peoria . . .	2	2	4	640
19225	Marcus Lindsay . . . . .	3	3	6	960
19226	Sam Slick . . . . .	5	1	6	960
19227	Wah-ka-ko-nah, or Billy . . . . .	1	0	1	160
19228	Wah-kah-ko-se-ah . . . . .	1	1	2	320
19229	Luther Pascal . . . . .	2	2	4	640
19230	Lewis Pascal . . . . .	1	1	2	320
19231	John Pascal . . . . .	1	0	1	160
19232	Edward Black . . . . .	3	2	5	800
19233	Sha-cah-quah, or Andrew Chick . . . .	3	4	7	1,120

	Persons or families.	Males.	Females.	Total.	Number of acres
19234					
19235	Che-swa-wa, or Rodgers .....	2	4	6	960
19236	John Westley .....	1	1	2	320
19237	Ma-co-se-tah, or F. Valley .....	3	1	4	640
19238	Ma-cha-co-me-yah, or David Lykins..	3	2	5	800
19239	Sa-wa-na-ke-keah, or Wilson .....	1	2	3	480
19240	Na-me-quah-wah .....	2	0	2	320
19241	Pun-gish-e-no-quah .....	1	3	4	640
19242	Ma-cen-sah .....	1	1	2	320
19243	Yellow Beaver .....	3	3	6	960
19244	John Charly .....	3	3	6	960
19245	Bam-ba-cap-wa, or Battiste Charly..	2	3	5	800
19246	Pah-to-cah .....	2	2	4	640
19247	Lee-we-ah, or Lewis .....	1	2	3	480
19248	Mah-kon-sah, junior .....	2	2	4	640
19249	Baptiste Peoria .....	3	5	8	1, 280
19250	Ma-qua-ko-non-ga, or Lewis Peckham.	5	2	7	1, 120
19251	Captain Mark .....	2	2	4	640
19252	Te-com-se, or Edward Dajexat .....	3	1	4	640
19253	Thomas Hedges .....	1	1	2	820
19254	Pah-ka-ko-se-qua .....	0	1	1	160
19255	En-ta-se-ma-qua .....	0	1	1	160
19256	Yon-za-na-ke-sa-gah .....	2	1	3	480
19257	Aw-sap-peen-qua-zah .....	4	0	4	640
19258	Kio-kaw-mo-zaw .....	4	2	6	960
19259	Chin-qua-ke-ah .....	2	3	5	800
19260	Peter Cloud .....	3	—	3	480
19261	Au-see-pan-nah, or Coon .....	2	1	3	480
19262	My-he-num-ba .....	3	3	6	960
19263	Kish-e-koon-sah .....	1	2	3	480
19264	Kish-e-wan-e-sah .....	3	1	4	640
19265	Sho-cum-qua .....	—	2	2	320
19266	Pe-ta-na-ke-ka-pa .....	2	0	2	320
19267	Pa-kan-giah .....	2	1	3	480
19268	Se-pah-ke-ah .....	1	1	2	320
19269	Ngo-to-kop-wa .....	1	1	2	320
19270	Kil-so-qua .....	2	2	4	640
19271	Be-zio, or Ben .....	1	2	3	480
19272	Kil-son-zah .....	1	2	3	480
19273	Shaw-lo-lee .....	2	1	3	480
19274	Ke-she-kon-sah, or Wea .....	1	2	3	480
19275	Ah-shaw-we-se-wah .....	2	—	2	320
19276	George Clinton .....	2	—	2	320
19277	Ke-kaw-ke-to-qua .....	2	2	4	640
19278	Sa-saw-kaw-qua-ga, or Kain Tuck....	2	3	5	800
19279	Wah-sah-ko-le-ah .....	1	3	4	640

	Persons or families.	Males.	Females.	Total.	Number of acres.
19280					
19281	Kin-ge-ton-no-zah, or Red Bird .....	1	1	2	320
19282	Paw-saw-qua, or Jack Booei .....	3	1	4	640
19283	No-wa-ko-se-ah .....	2	—	2	320
19284	Me-shin-qua-me-saw .....	1	3	4	640
19285	Chen-gwan-zaw .....	3	—	3	480
19286	Ke-che-kom-e-ah .....	2	—	2	320
19287	Na-me-qua-wah, junior .....	2	—	2	320
19288	Ta-pah-con-wah .....	1	1	2	320
19289	Pa-pee-ze-sa-wah .....	1	1	2	320
19290	Ta-ko-nah, or Mitchel .....	2	3	5	800
19291	Pe-la-she .....	1	1	2	320
19292	Wah-ke-shin-gah .....	2	2	4	640
19293	Waw-pon-ge-quah, or Mrs. Ward ....	3	3	6	960
19294	Paw-saw-kaw-kaw-maw .....	—	2	2	320
19295	Ke-maw-lan-e-ah .....	2	3	5	800
19296	Qua-kaw-me-kaw-trua, or J. Cox ....	2	2	4	640
19297	Cow-we-shaw ....	2	—	2	320
19298	Tah-wah-qua-ke-mon-ga .....	3	1	4	640

19299

## KLAMATHS, ETC.

19300 *Treaty between the United States of America and the Klamath and*  
 19301 *Moadoc tribes and Yahooskin band of Snake Indians, con-*  
 19302 *cluded October 14, 1864; ratification advised, with amendments,*  
 19303 *July 2, 1866.*

19304 ULYSSES S. GRANT, President of the United States of America,  
 19305 to all and singular to whom these presents shall come,  
 19306 greeting:

19307 Whereas a treaty was made and concluded at Klamath  
 19308 Lake, in the State of Oregon, on the fourteenth day of October,  
 19309 in the year of our Lord one thousand eight hundred and sixty-  
 19310 four, by and between J. W. Perit Huntington and William  
 19311 Logan, commissioners on the part of the United States, and La-  
 19312 Lake, Chil-o-que-nas, and other chiefs and head-men of the Kla-  
 19313 math tribe of Indians; Schon-chin, Stak-it-ut, and other chiefs  
 19314 and head-men of the Moadoc tribe of Indians; and Kile-to-ak  
 19315 and Sky-te-ock-et, chiefs and head-men of the Yahooskin band  
 19316 of Snake Indians, respectively, on the part of said tribes and  
 19317 band of Indians, and duly authorized thereto by them, which  
 19318 treaty is in the words and figures following, to wit:

19319 Articles of agreement and convention made and concluded at  
 19320 Klamath Lake, Oregon, on the fourteenth day of October, A.

19321 D. one thousand eight hundred and sixty-four, by J. W.  
 19322 Perit Huntington, superintendent of Indian affairs in Ore-  
 19323 gon, and William Logan, United States Indian agent for  
 19324 Oregon, on the part of the United States, and the chiefs  
 19325 and head-men of the Klamath and Moadoc tribes and Yahoo-  
 19326 skin band of Snake Indians, hereinafter named, to wit,  
 19327 La-Lake, Chil-o-que-nas, Kellogue, Mo-ghen-kas-kit, Blow,  
 19328 Le-lu, Palmer, Jack, Que-as, Poo-sak-sult, Che-mult, No-ak-  
 19329 sum, Mooch-kat-allick, Toon-tuck-tee, Boos-ki-you, Ski-a-tic,  
 19330 Shol-las-loos, Ta-tet-pas, Muk-has, Herman-koos-man, chiefs  
 19331 and head-men of the Klamaths; Schon-chin, Stak-it-ut, Keint-  
 19332 poos, Chuck-e-i-ox, chiefs and head-men of the Moadocs, and  
 19333 Kile-to-ak and Sky-te-ock-et, chiefs of the Yahooskin band  
 19334 of Snakes.

19335 ARTICLE 1. The tribes of Indians aforesaid cede to the  
 19336 United States all their right, title, and claim to all the country  
 19337 claimed by them, the same being determined by the following  
 19338 boundaries, to wit: Beginning at the point where the forty-  
 19339 fourth parallel of north latitude crosses the summit of the Cas-  
 19340 cade Mountains; thence following the main dividing-ridge  
 19341 of said mountains in a southerly direction to the ridge which  
 19342 separates the waters of Pitt and McCloud Rivers from the  
 19343 waters on the north; thence along said dividing-ridge in an  
 19344 easterly direction to the southern end of Goose Lake; thence  
 19345 northeasterly to the northern end of Harney Lake; thence due  
 19346 north to the forty-fourth parallel of north latitude; thence west  
 19347 to the place of beginning: *Provided*, That the following-de-  
 19348 scribed tract, within the country ceded by this treaty, shall,  
 19349 until otherwise directed by the President of the United States,  
 19350 be set apart as a residence for said Indians, [and] held and re-  
 19351 garded as an Indian reservation, to wit: Beginning upon the  
 19352 eastern shore of the middle Klamath Lake, at the Point of  
 19353 Rocks, about twelve miles below the mouth of Williamson's  
 19354 River; thence following up said eastern shore to the mouth of  
 19355 Wood River; thence up Wood River to a point one mile north  
 19356 of the bridge at Fort Klamath; thence due east to the summit  
 19357 of the ridge which divides the upper and middle Klamath  
 19358 Lakes; thence along said ridge to a point due east of the north  
 19359 end of the upper lake; thence due east, passing the said north  
 19360 end of the upper lake, to the summit of the mountains on the  
 19361 east side of the lake; thence along said mountain to the point  
 19362 where Sprague's River is intersected by the Ish-tish-ea-wax  
 19363 Creek; thence in a southerly direction to the summit of the  
 19364 mountain, the extremity of which forms the Point of Rocks;  
 19365 thence along said mountain to the place of beginning. And  
 19366 the tribes aforesaid agree and bind themselves that, immedi-

19367 ately after the ratification of this treaty, they will remove to  
 19368 said reservation and remain thereon, unless temporary leave of  
 19369 absence be granted to them by the superintendent or agent  
 19370 having charge of the tribes.

19371 It is further stipulated and agreed that no white person shall  
 19372 be permitted to locate or remain upon the reservation, except  
 19373 the Indian superintendent and agent, employés of the Indian  
 19374 department, and officers of the Army of the United States, and  
 19375 that in case persons other than those specified are found upon  
 19376 the reservation, they shall be immediately expelled therefrom;  
 19377 and the exclusive right of taking fish in the streams and lakes,  
 19378 included in said reservation, and of gathering edible roots, seeds,  
 19379 and berries within its limits, is hereby secured to the Indians  
 19380 aforesaid: *Provided, also*, That the right of way for public roads  
 19381 and railroads across said reservation is reserved to citizens of  
 19382 the United States.

19383 ARTICLE 2. In consideration of, and in payment for the  
 19384 country ceded by this treaty, the United States agree to pay to  
 19385 the tribes conveying the same the several sums of money here-  
 19386 inafter enumerated, to wit: Eight thousand dollars per annum  
 19387 for a period of five years, commencing on the first day of Octo-  
 19388 ber, eighteen hundred and sixty-five, or as soon thereafter as  
 19389 this treaty may be ratified; five thousand dollars per annum for  
 19390 the term of five years next succeeding the first period of five  
 19391 years; and three thousand dollars per annum for the term of  
 19392 five years next succeeding the second period; all of which sev-  
 19393 eral sums shall be applied to the use and benefit of said Indians  
 19394 by the superintendent or agent having charge of the tribes,  
 19395 under the direction of the President of the United States, who  
 19396 shall, from time to time, in his discretion, determine for what  
 19397 objects the same shall be expended, so as to carry out the design  
 19398 of the expenditure, [it] being to promote the well-being of the  
 19399 Indians, advance them in civilization, and especially agriculture,  
 19400 and to secure their moral improvement and education.

19401 ARTICLE 3. The United States agree to pay said Indians  
 19402 the additional sum of thirty-five thousand dollars, a portion  
 19403 whereof shall be used to pay for such articles as may be ad-  
 19404 vanced to them at the time of signing this treaty, and the re-  
 19405 mainder shall be applied to subsisting the Indians during the  
 19406 first year after their removal to the reservation, the purchase of  
 19407 teams, farming implements, tools, seeds, clothing, and provisions  
 19408 and for the payment of the necessary employés.

19409 ARTICLE 4. The United States further agree that there shall  
 19410 be erected at suitable points on the reservation, as soon as prac-  
 19411 ticable after the ratification of this treaty, one saw-mill, one  
 19412 flouring-mill, suitable buildings for the use of the blacksmith,

19413 carpenter, and wagon and plough maker, the necessary buildings  
 19414 for one manual-labor school, and such hospital buildings as may  
 19415 be necessary, which buildings shall be kept in repair at the ex-  
 19416 pense of the United States for the term of twenty years; and it  
 19417 is further stipulated that the necessary tools and material for the  
 19418 saw-mill, flour-mill, carpenter, blacksmith, and wagon and plough  
 19419 maker's shops, and books and stationery for the manual-labor  
 19420 school, shall be furnished by the United States for the period of  
 19421 twenty years.

19422 ARTICLE 5. The United States further engage to furnish  
 19423 and pay for the services and subsistence, for the term of fifteen  
 19424 years, of one superintendent of farming operations, one farmer,  
 19425 one blacksmith, one sawyer, one carpenter, and one wagon and  
 19426 plough maker, and for the term of twenty years of one physician,  
 19427 one miller, and two school-teachers.

19428 ARTICLE 6. The United States may, in their discretion,  
 19429 cause a part or the whole of the reservation provided for in Ar-  
 19430 ticle 1 to be surveyed into tracts, and assigned to members of  
 19431 the tribes of Indians parties to this treaty, or such of them as  
 19432 may appear likely to be benefited by the same, under the follow-  
 19433 ing restrictions and limitations, to wit: To each head of a fam-  
 19434 ily shall be assigned and granted a tract of not less than forty  
 19435 nor more than one hundred and twenty acres, according to the  
 19436 number of persons in such family; and to each single man above  
 19437 the age of twenty-one years a tract not exceeding forty acres.  
 19438 The Indians to whom these tracts are granted are guaranteed  
 19439 the perpetual possession and use of the tracts thus granted and  
 19440 of the improvements which may be placed thereon; but no In-  
 19441 dian shall have the right to alienate or convey any such tract to  
 19442 any person whatsoever, and the same shall be forever exempt  
 19443 from levy, sale, or forfeiture: *Provided*, That the Congress of  
 19444 the United States may hereafter abolish these restrictions and  
 19445 permit the sale of the lands so assigned, if the prosperity of the  
 19446 Indians will be advanced thereby: *And provided further*, If any  
 19447 Indian, to whom an assignment of land has been made, shall re-  
 19448 fuse to reside upon the tract so assigned for a period of two years,  
 19449 his right to the same shall be deemed forfeited.

19450 ARTICLE 7. The President of the United States is empow-  
 19451 ered to declare such rules and regulations as will secure to the  
 19452 family, in case of the death of the head thereof, the use and  
 19453 possession of the tract assigned to him, with the improvements  
 19454 thereon.

19455 ARTICLE 8. The annuities of the tribes mentioned in this  
 19456 treaty shall not be held liable or taken to pay the debts of indi-  
 19457 viduals.

19458 ARTICLE 9. The several tribes of Indians, parties to this

19459 treaty, acknowledge their dependence upon the Government of  
 19460 the United States, and agree to be friendly with all citizens  
 19461 thereof, and to commit no depredations upon the person or  
 19462 property of said citizens, and to refrain from carrying on any  
 19463 war upon other Indian tribes; and they further agree that they  
 19464 will not communicate with or assist any persons or nation hostile  
 19465 to the United States; and, further, that they will submit to and  
 19466 obey all laws and regulations which the United States may pre-  
 19467 scribe for their government and conduct.

19468       ARTICLE 10. It is hereby provided that if any member of  
 19469 these tribes shall drink any spirituous liquor, or bring any such  
 19470 liquor upon the reservation, his or her proportion of the benefits  
 19471 of this treaty may be withheld for such time as the President of  
 19472 the United States may direct.

19473       ARTICLE 11. It is agreed between the contracting parties  
 19474 that if the United States, at any future time, may desire to locate  
 19475 other tribes upon the reservation provided for in this treaty, no  
 19476 objection shall be made thereto; but the tribes, parties to this  
 19477 treaty, shall not, by such location of other tribes, forfeit any of  
 19478 their rights or privileges guaranteed to them by this treaty.

19479       ARTICLE 12. This treaty shall bind the contracting parties  
 19480 whenever the same is ratified by the Senate and President of the  
 19481 United States.

19482       Proclaimed February 17, 1870.

19483

#### KICKAPOOS.

19484   *A treaty between the United States of America and the Kickapoo*  
 19485       *tribe of Indians.*

19486       William Henry Harrison, governor of the Indiana Territory  
 19487 and commissioner plenipotentiary of the United States for  
 19488 treating with the Indian tribes northwest of the Ohio, and the  
 19489 sachems and war-chiefs of the Kickapoo tribe on the part of  
 19490 said tribe, have agreed on the following articles, which, when  
 19491 ratified by the President, by and with the advice of the Senate,  
 19492 shall be binding on said parties:

19493       ARTICLE 1. The ninth article of the treaty concluded at  
 19494 Fort Wayne on the thirtieth of September last (proclaimed  
 19495 January 16, 1810, see page —,) and the cession it contains, is  
 19496 hereby agreed to by the Kickapoos, and a permanent additional  
 19497 annuity of four hundred dollars, and goods to the amount of  
 19498 eight hundred dollars, now delivered, is to be considered as a  
 19499 full compensation for the said cession.

19500       ARTICLE 2. The said tribe further agrees to cede to the  
 19501 United States all that tract of land which lies between the tract  
 19502 above ceded, the Wabash, the Vermillion River, and a line to  
 19503 be drawn from the north corner of the said ceded tract, so as to  
 19504 strike the Vermillion River at the distance of twenty miles in a  
 19505 direct line from its mouth. For this cession a further annuity  
 19506 of one hundred dollars, and the sum of seven hundred dollars  
 19507 in goods, now delivered, is considered as a full compensation.  
 19508 But if the Miamies should not be willing to sanction the latter  
 19509 cession, and the United States should not think proper to take  
 19510 possession of the land without their consent, they shall be re-  
 19511 leased from the obligation to pay the additional annuity of one  
 19512 hundred dollars.

19513       ARTICLE 3. The stipulations contained in the treaty of  
 19514 Greenville relatively to the manner of paying the annuity and  
 19515 of the right of the Indians to hunt upon the land, shall apply  
 19516 to the annuity granted and the land ceded by the present treaty.

19517       Proclaimed March 3, 1810.

19518       *A treaty of peace and friendship made and concluded between Will-*  
 19519       *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 19520       *sioners plenipotentiary of the United States of America on the*  
 19521       *part and behalf of the said States, of the one part, and the un-*  
 19522       *dersigned chiefs, warriors, and deputies of the Kickapoo tribe*  
 19523       *or nation, on the part and behalf of the said tribe or nation, of*  
 19524       *the other part.*

19525       The parties being desirous of re-establishing peace and  
 19526 friendship between the United States and the said tribe or na-  
 19527 tion, and of being placed in all things and in every respect on the  
 19528 same footing upon which they stood before the war, have agreed  
 19529 to the following articles:

19530       ARTICLE 1. Every injury or act of hostility by one or either  
 19531 of the contracting parties towards the other shall be mutually  
 19532 forgiven and forgot.

19533       ARTICLE 2. There shall be perpetual peace and friendship  
 19534 between all the citizens of the United States of America and  
 19535 all the individuals composing the said Kickapoo tribe or nation.

19536       ARTICLE 3. The contracting parties do hereby agree, prom-  
 19537 ise, and oblige themselves, reciprocally, to deliver up all the  
 19538 prisoners now in their hands (by what means soever the same  
 19539 may have come into their possession) to the officer commanding  
 19540 at Fort Clarke, on the Illinois River, to be by him restored to  
 19541 their respective nations as soon as it may be practicable.

19542       ARTICLE 4. The contracting parties, in the sincerity of mu-

19543 tual friendship, recognize, re-establish, and confirm all and every  
 19544 treaty, contract, and agreement heretofore concluded between  
 19545 the United States and the Kickapoo tribe or nation.

19546 Ratified December 26, 1815.

19547 N. B. The obligations imposed on the United States by this  
 19548 treaty are released by the Article 4 of the treaty proclaimed  
 19549 January 13, 1821, p. 439.

19550 *Articles of a treaty made and entered into at Fort Harrison, in the*  
 19551 *Indiana Territory, between Benjamin Parke, specially author-*  
 19552 *ized thereto by the President of the United States, on the one*  
 19553 *part, and the tribes of Indians called the Weas and Kickapoos,*  
 19554 *by their chiefs and head-men, of the other part.*

19555 ARTICLE 1. The Weas and Kickapoos again acknowledge  
 19556 themselves in peace and friendship with the United States.

19557 ARTICLE 2. The said tribes acknowledge the validity of,  
 19558 and declare their determination to adhere to, the treaty of Green-  
 19559 ville, made in the year seventeen hundred and ninety-five, and  
 19560 all subsequent treaties which they have respectively made with  
 19561 the United States.

19562 ARTICLE 3. The boundary-line, surveyed and marked by  
 19563 the United States, of the land on the Wabash and White Rivers,  
 19564 ceded in the year eighteen hundred and nine, the said tribes do  
 19565 hereby explicitly recognise and confirm as having been executed  
 19566 conformably to the several treaties they have made with the  
 19567 United States.

19568 ARTICLE 4. The chiefs and warriors of the said tribe of the  
 19569 Kickapoos acknowledges that they have ceded to the United  
 19570 States all that tract of country which lies between the aforesaid  
 19571 boundary-line on the northwest side of the Wabash—the Wabash,  
 19572 the Vermillion River, and a line to be drawn from the northwest  
 19573 corner of the said boundary-line, so as to strike the Vermillion  
 19574 River twenty miles in a direct line from its mouth, according to  
 19575 the terms and conditions of the treaty they made with the United  
 19576 States on the ninth day of December, in the year eighteen hun-  
 19577 dred and nine.

19578 Proclaimed December 30, 1816.

19579 *A treaty made and concluded at Edwardsville, in the State of Illi-*  
 19580 *nois, between Auguste Chouteau and Benjamin Stephenson,*  
 19581 *commissioners on the part and behalf of the United States of*  
 19582 *America, of the one part, and the undersigned, principal chiefs*  
 19583 *and warriors of the Kickapoo tribe of Indians, on the part and*  
 19584 *behalf of said tribe, of the other part.*

19585 ARTICLE 1 The undersigned chiefs and warriors, for them-  
 19586 selves and their said tribe, for and in consideration of the prom-

19587 ises and stipulations hereinafter made, do hereby cede and re-  
 19588 linquish to the United States forever all their right, interest,  
 19589 and title of, in, and to the following tracts of land, viz: All  
 19590 their land on the southeast side of the Wabash River, including  
 19591 the principal village in which their ancestors formerly resided,  
 19592 consisting of a large tract, to which they have had, from time  
 19593 immemorial, and now have, a just right, that they have never  
 19594 heretofore ceded, or otherwise disposed of, in any manner what-  
 19595 ever; also all the land within the following boundaries, viz:  
 19596 Beginning on the Wabash River, at the upper point of their  
 19597 cession, made by the second article of their treaty at Vincennes  
 19598 on the 9th December, 1809; running thence, northwestwardly,  
 19599 to the dividing line between the States of Illinois and Indiana;  
 19600 thence, along said line, to the Kankakee River; thence, with  
 19601 said river, to the Illinois River; thence, down the latter, to its  
 19602 mouth; thence, with a direct line, to the northwest corner of  
 19603 the Vincennes tract, as recognised in the treaty with the Piank-  
 19604 eshaw tribe of Indians at Vincennes, on the 30th December, 1805;  
 19605 and thence, with the western and northern boundaries of the  
 19606 cessions heretofore made by the said Kickapoo tribe of Indians,  
 19607 to the beginning. Of which last-described tract of land the  
 19608 said Kickapoo tribe claim a large portion, by descent from their  
 19609 ancestors, and the balance by conquest from the Illinois Nation,  
 19610 and uninterrupted possession for more than half a century.

19611 ARTICLE 2. The said tribe hereby confirm all their former  
 19612 treaties with the United States, and relinquish to them all claim  
 19613 to every portion of their lands which may have been ceded by  
 19614 any other tribe or tribes, and all and every demand which they  
 19615 might have had in consequence of the second article of the treaty  
 19616 made with the Pottawattamy Nation of Indians at St. Mary's  
 19617 on the 2d October, 1818, (proclaimed January 15, 1819.)

19618 ARTICLE 3. The said tribe acknowledge themselves now to  
 19619 be, and promise to continue, under the protection of the United  
 19620 States of America, and of no other nation, power, or sovereign  
 19621 whatever.

19622 ARTICLE 4. The said tribe release the United States from  
 19623 all obligations imposed by any treaties heretofore made with  
 19624 them.

19625 ARTICLE 5. The United States, in lieu of all former stipu-  
 19626 lations, and in consideration of cessions of land heretofore made  
 19627 by the said tribe, promise to pay them, at their town on the  
 19628 waters of the Osage River, two thousand dollars in silver, annu-  
 19629 ally, for fifteen successive years.

19630 ARTICLE 6. Altered so as to read as Article 1 of treaty of  
 19631 July 19, 1820, page 440.

19632       ARTICLE 7. The United States promise to guaranty to the  
 19633 said tribe the peaceable possession of the tract of land hereby  
 19634 ceded to them, and to restrain and prevent all white persons  
 19635 from hunting, settling, or otherwise intruding upon it. But any  
 19636 citizen or citizens of the United States, being lawfully authorized  
 19637 for that purpose, shall be permitted to pass and repass through  
 19638 the said tract, and to navigate the waters thereof, without any  
 19639 hindrance, toll, or exaction from the said tribe.

19640       ARTICLE 8. For the purpose of facilitating the removal of  
 19641 the said tribe to the tract of land hereby ceded to them, the  
 19642 United States will furnish them with two boats, well manned,  
 19643 to transport their property from any point they may designate  
 19644 on the Illinois River, and some judicious citizen shall be se-  
 19645 lected to accompany them in their passage through the white  
 19646 settlements to their intended residence.

19647       ARTICLE 9. The United States will take the said Kickapoo  
 19648 tribe under their care and patronage, and will afford them pro-  
 19649 tection against all persons whatever, provided they conform to  
 19650 the laws of the United States, and refrain from making war, or  
 19651 giving any insult or offence to any other Indian tribe, or to any  
 19652 foreign nation, without first having obtained the approbation  
 19653 and consent of the United States.

19654       ARTICLE 10. The said tribe, in addition to their above-  
 19655 described cessions, do hereby cede and relinquish to the United  
 19656 States generally and without reservation all other tracts of land  
 19657 to which they may have any right or title on the left side of the  
 19658 Illinois and Mississippi Rivers.

19659       Proclaimed January 13, 1821.

19660       *A treaty made and concluded by and between Auguste Chouteau*  
 19661       *and Benjamin Stephenson, commissioners of the United States*  
 19662       *of America, on the part and behalf of the said States, of the*  
 19663       *one part, and the undersigned, chiefs and warriors of the Kick-*  
 19664       *apoo tribe of Indians, on the part and behalf of their said*  
 19665       *nation, of the other part, the same being supplementary to and*  
 19666       *amendatory of the treaty made and concluded at Edwardsville*  
 19667       *on the 30th July, 1819, between the United States and the said*  
 19668       *Kickapoo Nation, and proclaimed Jannary 13, 1821.*

19669       ARTICLE 1. It is agreed between the United States and the  
 19670 Kickapoo tribe of Indians that the sixth article of the treaty to  
 19671 which this is supplementary shall be, and the same is hereby,  
 19672 altered and amended so as to read as follows, viz:

19673       In consideration of and exchange for the cession made by  
 19674 the aforesaid tribe in the first article of this treaty the United

19675 States, in addition to three thousand dollars' worth of merchan-  
 19676 dise this day paid to the said tribe, hereby cede to the said  
 19677 tribe, to be by them possessed in like manner as the lands  
 19678 ceded by the first article of this treaty by them to the United  
 19679 States were possessed, a certain tract of land in the Territory of  
 19680 Missouri, and included within the following boundaries, viz :  
 19681 Beginning at the confluence of the rivers Pommes de Terre and  
 19682 Osage ; thence up said river Pommes de Terre to the dividing  
 19683 ridge which separates the waters of Osage and White Rivers ;  
 19684 thence with said ridge and westwardly to the Osage line ; thence  
 19685 due north with said line to Nerve Creek ; thence down the same  
 19686 to a point due south of the mouth of White Clay, or Richard  
 19687 Creek ; thence north to the Osage River ; thence down said  
 19688 river to the beginning.

19689 Proclaimed January 13, 1821.

19690 *Articles of a treaty made and entered into at Castor Hill, in the*  
 19691 *county of St. Louis, in the State of Missouri, this twenty-fourth*  
 19692 *day of October, one thousand eight hundred and thirty-two, be-*  
 19693 *tween William Clark, Frank J. Allen, and Nathan Kouns,*  
 19694 *commissioners on the part of the United States, of the one part,*  
 19695 *and the chiefs, warriors, and counsellors of the Kickapoo tribe*  
 19696 *of Indians, on behalf of said tribe, of the other part.*

19697 ARTICLE 1. The Kickapoo tribe of Indians, in consideration  
 19698 of the stipulations hereinafter made, do hereby cede to the  
 19699 United States the lands assigned to them by the treaty of Ed-  
 19700 wardsville, and concluded at St. Louis, the nineteenth day of  
 19701 July, eighteen hundred and twenty-two, and all other claims to  
 19702 lands within the State of Missouri.

19703 ARTICLE 2. The United States will provide for the Kickapoo  
 19704 tribe a country to reside in, southwest of the Missouri River,  
 19705 as their permanent place of residence as long as they remain a  
 19706 tribe. And whereas the said Kickapoo tribe are now willing to  
 19707 remove, on the following conditions, from the country ceded on  
 19708 Osage River, in the State of Missouri, to the country selected  
 19709 on the Missouri River, north of lands which have been assigned  
 19710 to the Delawares ; it is hereby agreed that the country within  
 19711 the following boundaries shall be assigned, conveyed, and for-  
 19712 ever secured, and is hereby so assigned, conveyed, and secured  
 19713 by the United States to the said Kickapoo tribe, as their perma-  
 19714 nent residence, viz : Beginning on the Delaware line six miles  
 19715 westwardly of Fort Leavenworth, thence with the Delaware  
 19716 line westwardly sixty miles, thence north twenty miles, thence  
 19717 in a direct line to the west bank of the Missouri, at a point  
 19718 twenty-six miles north of Fort Leavenworth, thence down the

19719 west bank of the Missouri River to a point six miles nearly  
19720 northwest of Fort Leavenworth, and thence to the beginning.

19721 ARTICLE 3. In consideration of the cession contained in  
19722 the first article, the United States agree to pay to the Kickapoo  
19723 tribe, within one year after the ratification of this treaty, an  
19724 annuity for one year of eighteen thousand dollars; twelve thou-  
19725 sand dollars of which, at the urgent request of said Indians,  
19726 shall be placed in the hands of the superintendent of Indian  
19727 affairs, at St. Louis, and be by him applied to the payment of  
19728 the debts of the said tribe, agreeably to a schedule to be fur-  
19729 nished by them to the said superintendent, stating, as far as  
19730 practicable, for what contracted, and to whom due; and the said  
19731 superintendent shall, as soon as possible, after the said money  
19732 comes into his hands, pay it over in a just apportionment, agree-  
19733 ably to their respective claims, to the creditors of the said tribe,  
19734 as specified in the schedule furnished him. And should any bal-  
19735 ance remain in his hands after said apportionment and payment,  
19736 it shall be by him paid over to the said Kickapoo tribe for their  
19737 use and benefit.

19738 ARTICLE 4. The United States further agree to pay to the  
19739 Kickapoo tribe an annuity of five thousand dollars per annum,  
19740 in merchandize, at its cost in St. Louis, or in money, at their  
19741 option, for nineteen successive years, commencing with the second  
19742 year after the ratification of this treaty.

19743 ARTICLE 5. The United States will pay one thousand dol-  
19744 lars annually for five successive years, for the support of a black-  
19745 smith and strikers; purchase of iron, steel, tools, &c., for the  
19746 benefit of said tribe, on the lands hereby assigned them.

19747 ARTICLE 6. The United States agree to pay thirty-seven  
19748 hundred dollars for the erection of a mill and a church, for the  
19749 use of said tribe, on the aforesaid lands.

19750 ARTICLE 7. The United States will pay five hundred dol-  
19751 lars per annum, for ten successive years, for the support of a  
19752 school, purchase of books, &c., for the benefit of said Kickapoo  
19753 tribe on the lands herein ceded to them.

19754 ARTICLE 8. The United States agree to pay three thousand  
19755 dollars for farming utensils, when such utensils may be required  
19756 by said tribe, on their land.

19757 ARTICLE 9. The United States will pay four thousand dol-  
19758 lars for labour and improvements on the lands herein ceded  
19759 said Kickapoos.

19760 ARTICLE 10. The United States agree to pay four thousand  
19761 dollars in cattle, hogs, and such other stock as may be required  
19762 by the said tribe; to be also delivered on their land.

19763 ARTICLE 11. There shall be paid in merchandize and cash,  
19764 to the Kickapoos now present, for the use and benefit of their

19765 tribe, six thousand dollars, the receipt of which is hereby ac-  
 19766 knowledged; which amount, together with the several stipula-  
 19767 tions contained in the preceding articles, shall be considered as  
 19768 a full compensation for the cession herein made by said Kickapoo  
 19769 tribe. The United States will furnish said Indians with some  
 19770 assistance when removing to the lands hereby assigned them,  
 19771 and supply them with one year's provisions after their arrival on  
 19772 said land.

19773 ARTICLE 12. The United States agree to run and mark out  
 19774 the boundary-lines of the lands hereby ceded to the said tribe,  
 19775 within three years from the date of the ratification of this treaty.

19776 ARTICLE 13. The said Indians agree to remove, with as little  
 19777 delay as possible, to the land hereby ceded to them.

19778 ARTICLE 14. The United States agree, at the particular re-  
 19779 quest of the Kickapoos, that a deputation of their tribe shall be  
 19780 sent, with one or two of the commissioners, to view the lands  
 19781 hereby ceded to them, which deputation and commissioners  
 19782 jointly agreeing, shall have power to alter the boundary-lines so  
 19783 as to make a selection of a body of land not exceeding twelve  
 19784 hundred square miles, adjoining to and lying between the Big  
 19785 Nemaha River and the Delaware lands, and of changing the lines  
 19786 of the land hereby ceded in the second article of this treaty, not  
 19787 exceeding half the front on the Missouri between the mouth of  
 19788 Big Nemaha and Fort Leavenworth, so as to include a suitable  
 19789 scite for a mill-seat, should it be desired by said tribe and ap-  
 19790 pear necessary to the commissioners. And it is understood  
 19791 that if the commissioners, on viewing the land ceded in the  
 19792 second article of this treaty, shall find it of good quality, and suf-  
 19793 ficient for said tribe, then the aforesaid second article to be as  
 19794 binding on the contracting parties as if this article had not been  
 19795 inserted.

19796 ARTICLE 15. This treaty to be binding when ratified by the  
 19797 President and Senate of the United States.

19798 Proclaimed February 13, 1833.

19799 *Supplemental article to the treaty with the Kickapoo tribe of Indians,*  
 19800 *of the twenty-fourth October, one thousand eight hundred and*  
 19801 *thirty-two, and proclaimed February 13, 1833.*

19802 The undersigned, commissioners on the part of the United  
 19803 States, and a deputation of Kickapoos, on the part of the Kick-  
 19804 apoo tribe of Indians, having visited the lands assigned to the  
 19805 said tribe by the second article of a treaty with the said tribe,  
 19806 concluded at Castor Hill, in the county of Saint Louis, and State  
 19807 of Missouri, on the twenty-fourth day of October, one thousand  
 19808 eight hundred and thirty-two, and by authority of the powers

19809 vested in the said commissioners, and the said deputation, by  
 19810 the fourteenth article of the aforesaid treaty, have agreed that  
 19811 the boundary-lines of the lands assigned to the Kickapoos shall  
 19812 begin on the Delaware line, where said line crosses the left branch  
 19813 of Salt Creek, thence down said creek to the Missouri River,  
 19814 thence up the Missouri River thirty miles when measured on a  
 19815 straight line, thence westwardly to a point twenty miles from  
 19816 the Delaware line, so as to include in the lands assigned the  
 19817 Kickapoos at least twelve hundred square miles.

19818 N. B.—The United States are released from all claims and  
 19819 demands of any kind, under the preceding treaties, by article 8  
 19820 of the treaty of May 18, 1854, proclaimed July 19, 1854, page 447.  
 19821 FRANKLIN PIERCE, President of the United States of Amer-  
 19822 ica; to all and singular to whom these presents shall come,  
 19823 greeting:

19824 Whereas a treaty was made and concluded at the city of  
 19825 Washington on the eighteenth day of May, one thousand eight  
 19826 hundred and fifty-four, by George W. Manypenny, commissioner  
 19827 on the part of the United States, and the following-named dele-  
 19828 gates of the Kickapoo tribe of Indians, viz, Pah-kah-kah or  
 19829 John Kennekuk, Kap-i-o-mah or the Fox Carrier, No-ka-wat or  
 19830 the Fox Hair, Pe-sha-gon or Tug made of Bear Skin, and Ke-wi-  
 19831 sah-tuk or Walking Bear or Squire, thereto duly authorized by  
 19832 said tribe, which treaty is in the words following, to wit:

19833 Articles of agreement and convention made and concluded at  
 19834 the city of Washington this eighteenth day of May, one  
 19835 thousand eight hundred and fifty-four, by George W. Many-  
 19836 penny, commissioner on the part of the United States, and  
 19837 the following-named delegates of the Kickapoo tribe of  
 19838 Indians, viz, Pah-kah-kah or John Kennekuk, Kap-i-o-mah  
 19839 or the Fox Carrier, No-ka-wat or the Fox Hair, Pe-sha-gon or  
 19840 Tug made of Bear Skin, and Ke-wi-sah-tuk or Walking Bear  
 19841 or Squire, thereto duly authorized by said tribe.

19842 ARTICLE 1. The Kickapoo tribe of Indians hereby cede,  
 19843 sell, and convey unto the United States all that country south-  
 19844 west of the Missouri River, which was provided as a permanent  
 19845 home for them in the treaty of Castor Hill, of the twenty-fourth  
 19846 of October, one thousand eight hundred and thirty-two, and  
 19847 described in the supplemental article thereto, entered into at  
 19848 Fort Leavenworth on the 26th of November, one thousand eight  
 19849 hundred and thirty-two, as follows: Beginning "on the Dela-  
 19850 ware line, where said line crosses the left branch of Salt Creek,  
 19851 thence down said creek to the Missouri River, thence up the  
 19852 Missouri River thirty miles when measured on a straight line,  
 19853 thence westwardly to a point twenty miles from the Delaware  
 19854 line, so as to include in the lands assigned to the Kickapoos at

19855 least twelve hundred square miles;" saving and reserving, in  
 19856 the western part thereof, one hundred and fifty thousand acres  
 19857 for a future and permanent home, which shall be set off for, and  
 19858 assigned to, them by metes and bounds: *Provided*, That upon  
 19859 the return home of the delegates here contracting, and upon  
 19860 consultation with their people, and after an exploration if required  
 19861 by them, in company with their agent, a location to that extent  
 19862 can be found within said specified section of country suited to  
 19863 their wants and wishes: *And it is also further provided*, That  
 19864 should a suitable location, upon examination and consultation, to  
 19865 the full extent of one hundred and fifty thousand acres, not be  
 19866 found within said western part of this cession, then the said  
 19867 delegates and agent shall be permitted to extend the location  
 19868 beyond the western line of the country herein ceded and north  
 19869 of the recent Delaware line over so much of the public domain,  
 19870 otherwise unappropriated, as shall make up the deficiency—or  
 19871 to make a selection entirely beyond the limits of the country at  
 19872 present occupied by the Kickapoos upon any lands of the United  
 19873 States, not otherwise appropriated, lying within the limits  
 19874 bounded by the said western line, by the recent Delaware north-  
 19875 ern line, and the waters of the Great Nemahaw River; and in  
 19876 either case they shall describe their selection, which must be  
 19877 made within six months from the date hereof, by metes and  
 19878 bounds, and transmit the description thereof, signed by said  
 19879 delegates and agent, to the Commissioner of Indian Affairs;  
 19880 and thereupon the selection so made shall be taken and deemed  
 19881 as the future permanent home of the Kickapoo Indians. It is  
 19882 expressly understood that the Kickapoos shall claim under this  
 19883 article no more than one hundred and fifty thousand acres of  
 19884 land; and if that quantity or any portion thereof shall be se-  
 19885 lected, as provided above, outside of the reservation herein made,  
 19886 then said reservation, or a quantity equal to that which may be  
 19887 selected outside thereof, shall be, and the same is hereby, ceded  
 19888 and relinquished to the United States.

19889 ARTICLE 2. In consideration whereof the United States  
 19890 agree to pay to the said Indians, under the direction of the Pres-  
 19891 ident, and in such manner as he shall from time to time pre-  
 19892 scribe, the sum of three hundred thousand dollars, as follows:  
 19893 one hundred thousand dollars to be invested at an interest of  
 19894 five per centum per annum; the interest of which shall be annu-  
 19895 ally expended for educational and other beneficial purposes.  
 19896 The remaining two hundred thousand dollars to be paid thus:  
 19897 Twenty-five thousand dollars in the month of October, one thou-  
 19898 sand eight hundred and fifty-four; twenty thousand dollars dur-  
 19899 ing the same month in each of the years one thousand eight,  
 19900 hundred and fifty-five and one thousand eight hundred and fifty-

19901 six; fourteen thousand dollars during the same month in each  
 19902 of the years one thousand eight hundred and fifty-seven and one  
 19903 thousand eight hundred and fifty-eight; nine thousand dollars  
 19904 in the same month of each of the six years next succeeding that  
 19905 of one thousand eight hundred and fifty-eight; seven thousand  
 19906 dollars in the same month of each of the four years next suc-  
 19907 ceeding the expiration of the last-named period of six years;  
 19908 and five thousand dollars in the same month of each of the five  
 19909 years next succeeding the last-named four years. And as the  
 19910 Kickapoos will remove to a new home, and will, therefore,  
 19911 require the principal portion of the annual payments for several  
 19912 years to aid in building houses, in breaking and fencing land,  
 19913 in buying stock, agricultural implements, and other articles  
 19914 needful for their comfort and civilization, it is understood that  
 19915 such portion of said annual payments as may be necessary will  
 19916 be appropriated to and expended for such purposes.

19917 ARTICLE 3. The President may cause to be surveyed, in  
 19918 the same manner in which the public lands are surveyed, the  
 19919 reservation herein provided for the Kickapoos; and may assign  
 19920 to each person, or family, desiring it, such quantity of land as,  
 19921 in his opinion, will be sufficient for such person, or family, with  
 19922 the understanding that he, or they, will occupy, improve, and  
 19923 cultivate the same, and comply with such other conditions as  
 19924 the President may prescribe. The land thus assigned may here-  
 19925 after be confirmed by patent to the parties, or their representa-  
 19926 tives, under such regulations and restrictions as Congress may  
 19927 impose.

19928 ARTICLE 4. It is agreed that the United States shall pay  
 19929 to such of the Kickapoos as have improvement upon the lands  
 19930 hereby ceded a fair compensation for the same—the value to be  
 19931 ascertained in such mode as shall be prescribed by the Presi-  
 19932 dent.

19933 ARTICLE 5. The debts of Indians contracted in their private  
 19934 dealings as individuals, whether to traders or others, shall not  
 19935 be paid out of the general fund.

19936 ARTICLE 6. It is the desire of the Kickapoo Indians that  
 19937 their faithful friend and interpreter, Peter Cadue, should have a  
 19938 home provided for him and his family. It is therefore agreed  
 19939 that there shall be assigned to him a tract of land equal to one  
 19940 section, to be taken from the legal subdivisions of the surveyed  
 19941 land, and to include his present residence and improvement on  
 19942 Cadue's Creek, and the President is authorized to issue a patent  
 19943 to him for the same.

19944 ARTICLE 7. It is agreed that all roads and highways laid  
 19945 out by authority of law shall have right of way through the  
 19946 reservation on the same terms as are provided by law when

19947 roads and highways are made through lands of citizens of the  
 19948 United States; and railroad companies, when the lines of their  
 19949 roads necessarily pass through the lands of the Kickapoos, shall  
 19950 have right of way on the payment of a fair compensation there-  
 19951 for in money.

19952 ARTICLE<sup>8</sup>. The Kickapoos release the United States from  
 19953 all claims or demands, of any kind whatsoever, arising, or which  
 19954 may hereafter arise, under former treaties, and agree, within  
 19955 twelve months after the ratification of this instrument, to remove  
 19956 and subsist themselves, without cost to the United States; in  
 19957 consideration of which release and agreement the United States  
 19958 agree to pay them the sum of twenty thousand dollars.

19959 ARTICLE 9. The Kickapoos promise to use their best efforts  
 19960 to prevent the introduction and use of ardent spirits in their  
 19961 country, to encourage industry, thrift, and morality, and by every  
 19962 possible means to promote their advancement in civilization.  
 19963 They desire to be at peace with all men, and therefore bind them-  
 19964 selves to commit no depredation or wrong upon Indians or citi-  
 19965 zens, and whenever difficulties arise to abide by the laws of the  
 19966 United States in such cases made and provided, as they expect  
 19967 to be protected and to have their own rights vindicated by them.

19968 ARTICLE 10. The object of these articles of agreement and  
 19969 convention being to advance the true interests of the Kickapoo  
 19970 people, it is agreed, should they prove insufficient, from causes  
 19971 which cannot now be foreseen, to effect these ends, that the  
 19972 President may, by and with the advice and consent of the Sen-  
 19973 ate, adopt such policy in the management of their affairs as in  
 19974 his judgment may be most beneficial to them; or Congress may  
 19975 hereafter make such provision by law as experience shall prove  
 19976 to be necessary.

19977 ARTICLE 11. This instrument shall be obligatory on the con-  
 19978 tracting parties whenever the same shall be ratified by the Presi-  
 19979 dent and the Senate of the United States.

19980 Proclaimed July 17, 1854.

19981 *Treaty between the United States of America and the Kickapoo*  
 19982 *tribe of Indians, concluded June 28, 1862; ratification ad-*  
 19983 *vised, with amendment, by Senate, March 13, 1863; amend-*  
 19984 *ment accepted May 5, 1863.*

19985 ABRAHAM LINCOLN, President of the United States of America,  
 19986 to all and singular to whom these presents shall come,  
 19987 greeting:

19988 Whereas a treaty was made and concluded at the agency  
 19989 of the Kickapoo tribe of Indians, on the twenty-eighth day of

19990 June, in the year of our Lord one thousand eight hundred and  
 19991 sixty-two, by and between Charles B. Keith, commissioner, on  
 19992 the part of the United States, and the hereinafter-named chiefs,  
 19993 head-men, and delegates of the Kickapoo Indians, for and on  
 19994 behalf of said Indians, and duly authorized thereto by them,  
 19995 which treaty is in the words and figures following, to wit:

19996 Articles of a treaty made and concluded at the agency of the  
 19997 Kickapoo tribe of Indians, on the 28th day of June, in the  
 19998 year of our Lord one thousand eight hundred and sixty-  
 19999 two, by and between Charles B. Keith, commissioner, on the  
 20000 part of the United States, and the undersigned chiefs, head-  
 20001 men, and delegates of the Kickapoo Nation, on behalf of  
 20002 said nation.

20003 ARTICLE 1. The Kickapoo tribe of Indians, believing that it  
 20004 will contribute to the civilization of their people to dispose of a por-  
 20005 tion of their present reservation in Kansas, consisting of one hun-  
 20006 dred and fifty thousand acres of land, to allot land in severalty to  
 20007 those members of said tribe who desire to have separate tracts of  
 20008 lands, and have adopted the customs of the whites, and to set  
 20009 apart for the others of said tribe a portion of said reserva-  
 20010 tion, to be held by them in common, or (if a majority of them so  
 20011 elect) provide for them a suitable home elsewhere, to be held by  
 20012 them in common, it is therefore hereby agreed that the Secre-  
 20013 tary of the Interior shall cause the whole of said reservation to  
 20014 be surveyed in the same manner as the public lands are surveyed,  
 20015 and the quantity of land hereinafter mentioned to be set apart  
 20016 to those of said tribe who desire to have their land in severalty;  
 20017 and, if so elected by a majority of the others of said tribe, the  
 20018 quantity of land hereinafter mentioned to be by such others  
 20019 held in common, and the remainder of the land, after the special  
 20020 reservations hereinafter provided for shall have been made, to  
 20021 be sold for the benefit of said tribe.

20022 ARTICLE 2. It shall be the duty of the Secretary of the In-  
 20023 terior to cause to be made an accurate census of all the mem-  
 20024 bers of the tribe, and to classify them in separate lists, showing  
 20025 the names, ages, and numbers of those desiring lands in sever-  
 20026 alty, and of those desiring lands in common, designating chiefs  
 20027 and heads of families respectively; each adult choosing for him-  
 20028 self or herself, and each head of a family for the minor children  
 20029 of such family, and the agent for orphans and persons of an un-  
 20030 sound mind and otherwise incompetent, as to which of these  
 20031 classes they will belong. And thereupon shall be assigned,  
 20032 under the direction of the Commissioner of Indian Affairs, to  
 20033 each chief, at the signing of the treaty, one half section; to  
 20034 each other head of a family, one quarter section; and to each  
 20035 other person forty acres of land; to include in every case as far

as practicable, to each family, their improvements and a reasonable portion of timber, to be selected according to the legal subdivision of survey. When such assignments shall have been completed, certificates shall be issued by the Commissioner of Indian Affairs for the tracts assigned in severalty, specifying the names of the individuals to whom they have been assigned respectively, and that said tracts are set apart for the perpetual and exclusive use and benefit of such assignees and their heirs. Until otherwise provided by law, such tracts shall be exempt from levy, taxation, or sale, and shall be alienable in fee, or leased, or otherwise disposed of only to the United States, or to persons then being members of the Kickapoo tribe, and of Indian blood, with the permission of the President, and under such rules and regulations as the Secretary of the Interior shall provide, except as may be hereinafter provided. And on receipt of such certificates, the person[s] to whom they are issued shall be deemed to have relinquished all right to any portion of the lands assigned to others in severalty, or to a portion of the tribe in common, and to the proceeds of sale of the same whensoever made.

ARTICLE 3. At any time hereafter, when the President of the United States shall have become satisfied that any adults, being males and heads of families, who may be allottees under the provision of the foregoing article, are sufficiently intelligent and prudent to control their affairs and interests, he may, at the request of such persons, cause the land severally held by them to be conveyed to them by patent in fee-simple, with power of alienation; and may, at the same time, cause to be set apart and placed to their credit severally, their proportion of the cash value of the credits of the tribe, principal and interest, then held in trust by the United States, and also, as the same may be received, their proportion of the proceeds of the sale of lands under the provisions of this treaty. And on such patents being issued, and such payments ordered to be made by the President, such competent persons shall cease to be members of said tribe, and shall become citizens of the United States; and thereafter the lands so patented to them shall be subject to levy, taxation, and sale, in like manner with the property of other citizens: *Provided*, That before making any such application to the President, they shall appear in open court, in the district court of the United States for the district of Kansas, and make the same proof and take the same oath of allegiance as is provided by law for the naturalization of aliens; and shall also make proof, to the satisfaction of said court, that they are sufficiently intelligent and prudent to control their affairs and interests; that they have adopted the habits of civilized life,

20082 and have been able to support, for at least five years, themselves  
20083 and families.

20084       ARTICLE 4. To those members of said tribe who desire to  
20085 hold their lands in common, there shall be set apart from the  
20086 present reservation of the tribe an undivided quantity sufficient  
20087 to allow one half section to each chief, one quarter section to  
20088 each other head of a family, and forty acres to each other per-  
20089 son; and said land shall be held by that portion of the tribe for  
20090 whom it is set apart by the same tenure as the whole reserve  
20091 has been held by all of said tribe under the treaty of 1854. And  
20092 upon such land being assigned in common, the persons to whom  
20093 it is assigned shall be held to have relinquished all title to lands  
20094 assigned in severalty, and in the proceeds of sales thereof when-  
20095 ever made; or should a majority of the adult males of said class  
20096 decide to remove to the Indian country south of Kansas, then,  
20097 and in that case, their new home shall not be limited to the  
20098 quantity above designated, but shall be as large as can be pur-  
20099 chased with the proceeds of the sale of the tract to which they  
20100 would have been entitled had they determined to remain upon  
20101 the present reservation, computing the same at the rate of at  
20102 least one dollar and twenty-five cents per acre: *Provided*, That  
20103 the purchase of such new home shall be made by the Commis-  
20104 sioner of Indian Affairs, under the direction of the Secretary of  
20105 the Interior, and at such locality within said Indian country as  
20106 he may select: *And provided also*, That such new home shall be  
20107 purchased and the Indians entitled removed thereto, at the cost  
20108 of the United States, within the period of two years after the  
20109 completion of the surveys herein provided for. And such Indi-  
20110 ans shall be entitled to the benefits of their full proportionate  
20111 share of all assets belonging to said tribe, in the same manner  
20112 that they would have been entitled had such removal not been  
20113 made.

20114       ARTICLE 5. The Kickapoo tribe of Indians, entertaining  
20115 the opinion that it is the desire of the Government and the  
20116 people of the United States to extend railroad communication  
20117 as far west as possible in the shortest possible time, and believ-  
20118 ing that it will greatly enhance the value of their lands reserved  
20119 in severalty by having a railroad built, connecting with the  
20120 eastern railroads running from the city of Atchison, in the State  
20121 of Kansas, westerly in the direction of the gold mines in Colora-  
20122 do Territory; and entertaining the opinion that the Atchison  
20123 and Pike's Peak Railroad Company, incorporated by an act of  
20124 the legislative assembly of the Territory of Kansas approved  
20125 February 11, 1859, has advantages for travel and transportation  
20126 over all other companies, it is therefore provided that the Atch-  
20127 ison and Pike's Peak Railroad Company shall have the privi-

20128 lege of buying the remainder of their land within six months  
 20129 after the tracts herein otherwise disposed of shall have been  
 20130 selected and set apart, provided said railroad company purchase  
 20131 the whole of such surplus lands at the rate of one dollar and  
 20132 twenty-five cents per acre; and when the selections shall have  
 20133 been made and assigned as aforesaid, it shall be the duty of the  
 20134 Commissioner of Indian Affairs to notify the president of said  
 20135 railroad company thereof; and if said railroad company signi-  
 20136 fies its consent to purchase said surplus lands within sixty days  
 20137 thereafter, and shall make, execute, and deliver to the Secreta-  
 20138 ry of the Interior the bonds of the said company in a penal sum  
 20139 equal to double the value of said surplus lands, as heretofore  
 20140 ascertained, with the condition that the said bonds shall become  
 20141 void whenever the said company shall comply with the condi-  
 20142 tions of the treaty, the Secretary of the Interior shall issue to  
 20143 said railroad company certificates of purchase, and such certifi-  
 20144 cates shall be deemed and held in all courts as evidence of the  
 20145 right of possession in said railroad company to all or any part  
 20146 of said lands, unless the same shall be forfeited as hereinafter  
 20147 provided. And if said railroad company make such purchase,  
 20148 it shall be subject to the following considerations, viz: They  
 20149 shall construct and fully equip a good and efficient railroad  
 20150 from the city of Atchison, in the State of Kansas, westerly,  
 20151 within six years, and as follows: The first section of fifteen  
 20152 miles of said road to be completed within three years from the  
 20153 date of said purchase, and the second section to a point as far  
 20154 west as the western boundary of said reservation within three  
 20155 years thereafter; and no patent or patents shall issue to said  
 20156 company or its assigns for any portion of said lands until the  
 20157 first section of said road shall be completed, and then for not  
 20158 more than one-half of said lands; and no patent or patents shall  
 20159 issue to said company or its assigns for any of the remaining  
 20160 portion of said lands until said second section of said railroad  
 20161 shall be completed as aforesaid; and before any patents shall  
 20162 issue for any part of said lands, payments shall be made for the  
 20163 lands to be patented at the rate of one dollar and twenty-five  
 20164 cents per acre. And said company shall pay the whole amount  
 20165 of the purchase-money for said lands in the securities of the  
 20166 United States to the Secretary of the Interior, in trust for said  
 20167 Kickapoo tribe of Indians, within six years from the date of  
 20168 such purchase; and when so paid the president is authorized  
 20169 hereby to issue patents therefor. Said company shall, in like  
 20170 manner, pay to the Secretary of the Interior, in trust as afore-  
 20171 said, each and every year, until the whole purchase-money shall  
 20172 have been paid, interest from date of purchase, at six per cent.  
 20173 per annum, on all the purchase-money remaining unpaid. Said

20174 interest, and the interest due on the purchase-money after it is  
 20175 paid to the United States, shall be held in trust and paid to said  
 20176 Indians on the first day of April of each and every year ; and in  
 20177 ten years from the ratification of this treaty there shall be paid  
 20178 by the United States to said tribe of Indians ten thousand dol-  
 20179 lars, as their first instalment upon the amount of said purchase-  
 20180 money, and ten thousand dollars each and every year thereafter  
 20181 until all is paid.

20182 ARTICLE 6. In case said railroad company shall fail to com-  
 20183 plete either section of said railroad in a good and efficient man-  
 20184 ner, or shall fail to pay the whole of the purchase-money for  
 20185 said lands within the time herein prescribed, or shall fail to pay  
 20186 all or any part of the interest upon the same each year as  
 20187 aforesaid, within thirty days from the date when such payment  
 20188 of interest may fall due, then the contract or purchase shall be  
 20189 deemed and held absolutely null and void, if the Secretary of the  
 20190 Interior shall so determine, and said company or its assigns  
 20191 shall forfeit all payments of principal and interest made on such  
 20192 purchase, and all right and title, legal and equitable, of any  
 20193 kind whatsoever, in and to all and every part of said lands which  
 20194 shall not have been before the date of such forfeiture earned  
 20195 and paid for pursuant to the provisions of this treaty. And  
 20196 whenever any patents shall issue to said railroad company for  
 20197 any part of said lands, it shall contain the condition that the  
 20198 said company shall sell the lands described in such patent, ex-  
 20199 cept so much as shall be necessary for the working of the road,  
 20200 within five years from the issuing of such patent. And said  
 20201 company shall have the perpetual right of way over the lands of  
 20202 the Kickapoos not sold to it for the construction and operation  
 20203 of said railroad, not exceeding one hundred feet in width, and  
 20204 the right to enter on said lands and take and use such gravel,  
 20205 stone, earth, water, and other material, except timber, as may  
 20206 be necessary for the construction and operation of the said road,  
 20207 making compensation for any damages to improvements caused  
 20208 by obtaining such material, and for any damages arising from  
 20209 the location or running of said road, to improvements made be-  
 20210 fore the road was located ; such damages and compensation, in  
 20211 cases where said company and the persons whose improvements  
 20212 are injured or the property taken cannot agree, to be ascertained  
 20213 and adjusted under the direction of the Commissioner of Indian  
 20214 Affairs. And in case said company shall not promptly pay the  
 20215 amount of such damages and compensation, the Secretary of the  
 20216 Interior may withhold patents for any part of the lands pur-  
 20217 chased by them until payment be made of the amount of such  
 20218 damages, with six per cent. interest thereon from the date when  
 20219 the same, not including improvements, shall have been ascer-

tained and demanded; and in case said company shall not purchase said surplus lands, or having purchased, shall forfeit the whole or any part thereof, the Secretary of the Interior shall thereupon cause the same to be appraised at not less than one dollar and twenty-five cents per acre, and shall sell the same in quantities not exceeding one hundred and sixty acres at auction, to the highest bidder for cash, at not less than [the] appraised value: *Provided, however,* In case any of said lands have been conveyed to bona-fide purchasers by said railroad company, such purchasers shall be entitled to a patent for said lands so purchased by them on payment to the United States in trust for said Kickapoos of the appraised value thereof, (exclusive of their improvements,) and not less than one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be prescribed by the Secretary of the Interior. On the purchase of said lands by the said railroad company the same shall become a part of the State of Kansas, but none of said lands shall be subject to taxation until the patents have been issued therefor.

ARTICLE 7. Stricken out.

ARTICLE 8. Stricken out.

ARTICLE 9. Stricken out.

ARTICLE 10. Whereas some years since a portion of the Kickapoos went down among the Southern Indians, and there is reason to believe that but few, if any, of them will ever return, and they having been notified of the provisions of this treaty, it is hereby agreed that they shall receive no benefits arising therefrom, unless they return to the present reservation of the Kickapoos within one year from the ratification of this treaty, in which case it is hereby agreed that forty acres each be allotted to them, with the understanding that they will occupy, improve, and cultivate the same, and in every respect to be governed by the same rules and regulations as is prescribed for the government of the lands reserved by the preceding articles.

ARTICLE 11. There shall be reserved six hundred and forty acres of land to be selected by the chiefs of said tribe of Kickapoos as a site for a saw and grist mill, three hundred and twenty acres where the mission-house now is, and one hundred and sixty acres where the house built for the agency now is, which, with the improvements thereupon, shall be disposed of when the objects for which they have been reserved shall have been accomplished, in such a manner and for such purposes as may be provided by law.

ARTICLE 12. Stricken out.

ARTICLE 13. Inasmuch as it was provided by the treaty

20266 between the United States and said Kickapoos, entered into on  
 20267 the 18th day of May, A. D. 1854, proclaimed July 17, 1854, that  
 20268 the President may cause to be surveyed, in the same manner  
 20269 that the public lands are surveyed, the reservation provided for  
 20270 the Kickapoos, it is agreed that the expense of said surveys  
 20271 shall be paid by the United States out of the proceeds of sales  
 20272 of said lands, and all expenses incident to the negotiation and  
 20273 execution of this treaty, and not otherwise provided for, shall be  
 20274 defrayed by the Kickapoos; the same to be deducted from any  
 20275 funds applicable to that purpose now or hereafter held for them  
 20276 in trust by the United States.

20277 ARTICLE 14. It is further agreed that all rights, title, and  
 20278 interest of the Kickapoos in their present reservation shall  
 20279 cease, and the same is hereby ceded to and vested in the United  
 20280 States, subject to the limitations and for the purposes herein ex-  
 20281 pressed and provided for.

20282 ARTICLE 15. Any stipulation in former treaties inconsistent  
 20283 with those embraced in the foregoing articles shall be of no  
 20284 force or effect.

20285 ARTICLE 16. Should the Senate reject or amend any of the  
 20286 foregoing articles, such rejection or amendment shall not affect  
 20287 the other provisions of this treaty, but the same shall go into  
 20288 effect when ratified and approved.

20289 Proclaimed May 28, 1863.

#### 20290 KICKAPOOS OF THE VERMILLION.

20291 *A treaty made and concluded by Benjamin Parke, a commissioner*  
 20292 *on the part of the United States of America, of the one part,*  
 20293 *and the chiefs, warriors, and head-men of the tribe of Kicka-*  
 20294 *poos of the Vermilion, of the other part.*

20295 ARTICLE 1. The chiefs, warriors, and head-men of the said  
 20296 tribe agree to cede, and hereby relinquish, to the United States,  
 20297 all the lands which the said tribe has heretofore possessed, or  
 20298 which they may rightfully claim, on the Wabash River, or any  
 20299 of its waters.

20300 ARTICLE 2. And to the end that the United States may be  
 20301 enabled to fix with the other Indian tribes a boundary between  
 20302 their respective claims, the chiefs, warriors, and head-men of  
 20303 the said tribe do hereby declare that their rightfull claim is as  
 20304 follows, viz: Beginning at the northwest corner of the Vin-  
 20305 cennes tract; thence westwardly, by the boundary established  
 20306 by a treaty with the Piankeshaws on the thirtieth day of De-

20307 cember, eighteen hundred and five, to the dividing ridge be-  
 20308 tween the waters of the Embarras and the Little Wabash;  
 20309 thence by the said ridge to the source of the Vermilion River;  
 20310 thence by the same ridge to the head of Pine Creek; thence by  
 20311 the said creek to the Wabash River; thence by the said river  
 20312 to the mouth of the Vermilion River; and thence by the Ver-  
 20313 milion, and the boundary heretofore established, to the place of  
 20314 beginning.

20315 ARTICLE 3. The said chiefs, warriors, and head-men of the  
 20316 said tribe agree to relinquish, and they do hereby exonerate and  
 20317 discharge the United States from, the annuity of one thousand  
 20318 dollars, to which they are now entitled. In consideration  
 20319 whereof, and of the cession hereby made, the United States  
 20320 agree to pay the said tribe two thousand dollars annually, in  
 20321 specie, for ten years; which, together with three thousand dol-  
 20322 lars now delivered, is to be considered a full compensation for  
 20323 the cession hereby made, as also of all annuities, or other  
 20324 claims of the said tribe against the United States by virtue of  
 20325 any treaty with the said United States.

20326 ARTICLE 4. As the said tribe contemplate removing from  
 20327 the country they now occupy, the annuity herein provided for  
 20328 shall be paid at such place as may be hereinafter agreed upon  
 20329 between the United States and said tribe.

20330 ARTICLE 5. This treaty, after the same shall be ratified by  
 20331 the President and Senate of the United States, shall be binding  
 20332 on the contracting parties.

20333 Proclaimed May 10, 1820.

20334 *Articles of a convention made and concluded between Benjamin*  
 20335 *Parke, a commissioner on the part of the United States for*  
 20336 *that purpose, of the one part, and the chiefs, warriors, and*  
 20337 *head-men of the tribe of Kickapoos of the Vermilion, of the*  
 20338 *other part.*

20339 ARTICLE 1. It is agreed that the annuity secured to the  
 20340 said tribe by the treaty of the thirtieth of August, eighteen  
 20341 hundred and nineteen, shall hereafter be paid to the said tribe  
 20342 at Kaskaskias, in the State of Illinois.

20343 ARTICLE 2. As the said tribe are now about leaving their  
 20344 settlements on the Wabash, and have desired some assistance  
 20345 to enable them to remove, the said Benjamin Parke, on behalf  
 20346 of the United States, has paid and advanced to the said tribe  
 20347 two thousand dollars, the receipt whereof is hereby acknowl-  
 20348 edged; which said sum of two thousand dollars is to be consid-  
 20349 ered as an equivalent, in full, for the annuity due the said tribe  
 20350 by virtue of the aforesaid treaty, for the year eighteen hundred  
 20351 and twenty-one.

20352 Proclaimed January 8 1821.

20353

## KIEWAS, KATAKAS, ETC.

20354 *Treaty with the Kioway, Ka-ta-ka, and Ta-wa-ka-ro Nations of*  
 20355 *Indians.*

20356       Whereas a treaty of peace and friendship was made and  
 20357 signed on the 24th day of August, 1835, between Montfort Stokes  
 20358 and Brigadier-General Matthew Arbuckle, commissioners on be-  
 20359 half of the United States, on the one part, and the chiefs, and  
 20360 head-men, and representatives of the Comanche, Witchetaw,  
 20361 Cherokee, Muscogee, Choctaw, Osage, Seneca, and Quapaw  
 20362 Nations or tribes of Indians, on the other part; and

20363       Whereas the said treaty has been duly ratified by the Gov-  
 20364 ernment of the United States, now know all whom it may con-  
 20365 cern, that the President of the United States, by letter of ap-  
 20366 pointment and instructions of the 7th day of April, 1837, has  
 20367 authorised Colonel A. P. Chouteau to make a convention or  
 20368 treaty between the United States and any of the nations or  
 20369 tribes of Indians of the Great Western Prairie, we the said  
 20370 Montfort Stokes and A. P. Chouteau, commissioners of Indian  
 20371 treaties, have this day made and concluded a treaty of peace  
 20372 and friendship between the United States of America and the  
 20373 chiefs, head-men, and representatives of the Kioway, Ka-ta-ka,  
 20374 and Ta-wa-ka-ro Nations of Indians on the following terms and  
 20375 conditions, that is to say:

20376       ARTICLE 1. There shall be perpetual peace and friendship  
 20377 between all the citizens of the United States of America and  
 20378 all the individuals composing the Kioway, Ka-ta-ka, and Ta-wa-  
 20379 ka-ro Nations, and their associated bands or tribes of Indians  
 20380 and between these nations or tribes and the Muscogee and  
 20381 Osage Nations or tribes of Indians.

20382       ARTICLE 2. Every injury, or act of hostility by one or either  
 20383 of the contracting parties on the other, shall be mutually for-  
 20384 given and forever forgot.

20385       ARTICLE 3. There shall be a free and friendly intercourse  
 20386 between all the contracting parties hereto; and it is distinctly  
 20387 understood and agreed by the Kioway, Ka-ta-ka, and Ta-wa-ka-  
 20388 ro Nations, and their associated bands or tribes of Indians, that  
 20389 the citizens of the United States are freely permitted to pass and  
 20390 repass through their settlements or hunting-ground without mo-  
 20391 lestation or injury, on their way to any of the provinces of the  
 20392 republics of Mexico or Texas, or returning therefrom, and that  
 20393 the nations or tribes named in this article further agree to pay  
 20394 the full value of any injury their people may do to the goods or  
 20395 property of the citizens of the United States, taken or destroyed

20396 when peaceably passing through the country they inhabit or  
 20397 hunt in, or elsewhere. And the United States hereby guarantee  
 20398 to any Indian or Indians of the Kioway, Ka-ta-ka and Ta-wa-  
 20399 ka-ro Nations, and their associated bands or tribes of Indians, a  
 20400 full indemnification for any horses or other property which may  
 20401 be stolen from them, *Provided*, That the property so stolen can-  
 20402 not be recovered, and that sufficient proof is produced that it  
 20403 was actually stolen by a citizen of the United States, and within  
 20404 the limits thereof.

20405 ARTICLE 4. It is understood and agreed by all the nations  
 20406 or tribes of Indians, parties to this treaty, that each and all of  
 20407 the said nations or tribes have free permission to hunt and trap  
 20408 in the Great Prairie west of the Cross Timber to the western  
 20409 limits of the United States.

20410 ARTICLE 5. The Kioway, Ka-ta-ka, and Ta-wa-ka-ro Nations  
 20411 and their associated bands or tribes of Indians agree and bind  
 20412 themselves to pay full value for any injury their people may do  
 20413 to the goods or other property of such traders as the President  
 20414 of the United States may place near to their settlements or hunt-  
 20415 ing-ground for the purpose of trading with them.

20416 ARTICLE 6. The Kioway, Ka-ta-ka, and Ta-wa-ka-ro Nations  
 20417 and their associated bands or tribes of Indians agree that, in  
 20418 the event any of the red people belonging to the nations or tribes  
 20419 of Indians residing south of the Missouri River, and west of the  
 20420 States of Missouri and Arkansas, not parties to this treaty, should  
 20421 visit their towns, or be found on their hunting-ground, that they  
 20422 will treat them with kindness and friendship, and do no injury  
 20423 to them in any way whatever.

20424 ARTICLE 7. Should any difficulty hereafter unfortunately  
 20425 arise between any of the nations or tribes of Indians, parties  
 20426 hereunto, in consequence of murder, the stealing of horses, cat-  
 20427 tle, or other cause, it is agreed that the other tribes shall inter-  
 20428 pose their good offices to remove such difficulties; and also that  
 20429 the Government of the United States may take such measures  
 20430 as they may deem proper to effect the same object, and see that  
 20431 full justice is done to the injured party.

20432 ARTICLE 8. It is agreed by the commissioners of the United  
 20433 States that in consequence of the Kioway, Ka-ta-ka, and Ta-wa-  
 20434 ka-ro Nations and their associated bands or tribes of Indians,  
 20435 having freely and willingly entered into this treaty, and it being  
 20436 the first they have made with the United States, or any of the  
 20437 contracting parties, that they shall receive presents immediately  
 20438 after signing, as a donation from the United States; nothing  
 20439 being asked from the said nations or tribes in return, except to  
 20440 remain at peace with the parties hereto, which their own good  
 20441 and that of their posterity require.

20442 ARTICLE 9. The Kioway, Ka-ta-ka, and Ta-wa-ka-ro Nations,  
 20443 and their associated bands or tribes of Indians, agree that their  
 20444 entering into this treaty shall in no respect interrupt their  
 20445 friendly relations with the republics of Mexico and Texas,  
 20446 where they all frequently hunt, and the Kioway, Ka-ta-ka, and  
 20447 Ta-wa-ka-ro Nations sometimes visit; and it is distinctly under-  
 20448 stood that the Government of the United States desire that  
 20449 perfect peace shall exist between the nations or tribes named in  
 20450 this article, and the said republics.

20451 ARTICLE 10. This treaty shall be obligatory on the nations  
 20452 or tribes, parties hereto, from and after the date hereof, and on  
 20453 the United States, from and after its ratification by the Govern-  
 20454 ment thereof.

20455 Proclaimed February 21, 1838. ✓

20456 MAHAS.

20457 *A treaty of peace and friendship, made and concluded between*  
 20458 *William Clark, Ninian Edwards, and Auguste Chouteau,*  
 20459 *commissioners plenipotentiary of the United States of Amer-*  
 20460 *ica, on the part and behalf of the said States, of the one part,*  
 20461 *and the chiefs and warriors of the Mahas, on the part and*  
 20462 *behalf of said tribe or nation, of the other part.*

20463 The parties being desirous of re-establishing peace and  
 20464 friendship between the United States and the said tribe or  
 20465 nation, and of being placed in all things, and in every respect,  
 20466 on the same footing upon which they stood before the late war  
 20467 between the United States and Great Britain, have agreed to  
 20468 the following articles:

20469 ARTICLE 1. Every injury or act of hostility committed by  
 20470 one or either of the contracting parties against the other, shall  
 20471 be mutually forgiven and forgot.

20472 ARTICLE 2. There shall be perpetual peace and friendship  
 20473 between all the citizens of the United States of America and  
 20474 all the individuals composing the tribe or nation of the Mahas,  
 20475 and all friendly relations that existed between them before the  
 20476 war, shall be, and the same are hereby, renewed.

20477 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 20478 selves and their said tribe or nation, do hereby acknowledge  
 20479 themselves and their tribe or nation to be under the protection  
 20480 of the United States, and of no other nation, power, or sov-  
 20481 ereign, whatsoever.

20482 Ratified December 26, 1815.

20483 For the purpose of perpetuating the friendship which has  
 20484 heretofore existed, as also to remove all future cause of discus-  
 20485 sion or dissention, as it respects trade and friendship between  
 20486 the United States and their citizens, and the Maha tribe of  
 20487 Indians, the President of the United States of America, by  
 20488 Brigadier-General Henry Atkinson, of the United States Army,  
 20489 and Major Benjamin O'Fallon, Indian agent, with full powers  
 20490 and authority, specially appointed and commissioned for that  
 20491 purpose, of the one part, and the undersigned chiefs, head-  
 20492 men, and warriors of the said Maha tribe of Indians, on be-  
 20493 half of their tribe, of the other part, have made and entered  
 20494 into the following articles and conditions, which, when ratified  
 20495 by the President of the United States, by and with the advice  
 20496 and consent of the Senate, shall be binding on both parties,  
 20497 to wit:

20498 ARTICLE 1. It is admitted by the Maha tribe of Indians  
 20499 that they reside within the territorial limits of the United States,  
 20500 acknowledge their supremacy, and claim their protection. The  
 20501 said tribe also admit the right of the United States to regulate  
 20502 all trade and intercourse with them.

20503 ARTICLE 2. The United States agree to receive the Maha  
 20504 tribe of Indians into their friendship, and under their protection,  
 20505 and to extend to them, from time to time, such benefits and acts  
 20506 of kindness as may be convenient and seem just and proper to  
 20507 the President of the United States.

20508 ARTICLE 3. All trade and intercourse with the Maha tribe  
 20509 shall be transacted at such place or places as may be designated  
 20510 and pointed out by the President of the United States, through  
 20511 his agents; and none but American citizens, duly authorized by  
 20512 the United States, shall be admitted to trade or hold intercourse  
 20513 with said tribe of Indians.

20514 ARTICLE 4. That the Maha tribe may be accommodated  
 20515 with such articles of merchandize, &c., as their necessities may  
 20516 demand, the United States agree to admit and licence traders  
 20517 to hold intercourse with said tribe, under mild and equitable regu-  
 20518 lations; in consideration of which the Maha tribe bind themselves  
 20519 to extend protection to the persons and the property of the traders,  
 20520 and the persons legally employed under them, whilst they remain  
 20521 within the limits of their particular district of country. And  
 20522 the said Maha tribe further agree, that if any foreigner, or other  
 20523 person not legally authorized by the United States, shall come  
 20524 into their district of country, for the purposes of trade or other  
 20525 views, they will apprehend such person or persons, and deliver  
 20526 him or them to some United States superintendent or agent of  
 20527 Indian affairs, or to the commandant of the nearest military

20528 post, to be dealt with according to law. And they further agree  
 20529 to give safe conduct to all persons who may be legally authorized  
 20530 by the United States to pass through their country ; and to pro-  
 20531 tect in their persons and property all agents or other persons sent  
 20532 by the United States to reside temporarily among them ; nor  
 20533 will they, whilst on their distant excursions, molest or interrupt  
 20534 any American citizen or citizens who may be passing from the  
 20535 United States to New Mexico, or returning from thence to the  
 20536 United States.

20537 ARTICLE 5. That the friendship which is now established  
 20538 between the United States and the Maha tribe should not be  
 20539 interrupted by the misconduct of individuals, it is hereby agreed  
 20540 that for injuries done by individuals, no private revenge or retal-  
 20541 iation shall take place, but instead thereof, complaints shall be  
 20542 made by the party injured, to the superintendent or agent of  
 20543 Indian affairs, or other person appointed by the President ; and  
 20544 it shall be the duty of said chiefs, upon complaint being made  
 20545 as aforesaid, to deliver up the person or persons against whom  
 20546 the complaint is made, to the end that he or they may be pun-  
 20547 ished agreeably to the laws of the United States. And, in like  
 20548 manner, if any robbery, violence, or murder shall be committed  
 20549 on any Indian or Indians belonging to said tribe, the person or  
 20550 persons so offending shall be tried, and if found guilty shall be  
 20551 punished in like manner as if the injury had been done to a white  
 20552 man. And it is agreed that the chiefs of said Maha tribe shall  
 20553 to the utmost of their power, exert themselves to recover horses  
 20554 or other property which may be stolen or taken from any citizen  
 20555 or citizens of the United States, by any individual or individuals  
 20556 of said tribe ; and the property so recovered shall be forthwith  
 20557 delivered to the agents or other person authorized to receive it,  
 20558 that it may be restored to the proper owner. And the United  
 20559 States hereby guaranty to any Indian or Indians of said tribe  
 20560 a full indemnification for any horses or other property which may  
 20561 be stolen from them by any of their citizens: *Provided*, That  
 20562 the property stolen cannot be recovered, and that sufficient proof  
 20563 is produced that it was actually stolen by a citizen of the United  
 20564 States. And the said Maha tribe engage, on the requisition or  
 20565 demand of the President of the United States, or of the agents  
 20566 to deliver up any white man resident among them.

20567 ARTICLE 6. And the chiefs and warriors, as aforesaid, prom-  
 20568 ise and engage that their tribe will never, by sale, exchange, or  
 20569 as presents, supply any nation, tribe, or band of Indians, not in  
 20570 amity with the United States, with guns, ammunition, or other  
 20571 implements of war.

20572 Proclaimed February 6, 1826.

## MAKAHS.

20573

20574 *Treaty between the United States of America and the Makha tribe of*  
 20575 *Indians ; concluded at Neah Bay, Washington Territory, Jan-*  
 20576 *uary 31, 1855 ; ratified by the Senate, March 8, 1829.*

20577 JAMES BUCHANAN, President of the United States of America,  
 20578 to all and singular to whom these presents shall come, greet-  
 20579 ing :

20580 Whereas a treaty was made and concluded at Neah Bay, in  
 20581 the Territory of Washington, on the thirty-first day of January,  
 20582 eighteen hundred and fifty-five, between Isaac I. Stevens, gov-  
 20583 ernor and superintendent of Indian affairs for said Territory, on  
 20584 the part of the United States, and the hereinafter-named chiefs,  
 20585 head-men, and delegates of the several villages of the Makah  
 20586 tribe of Indians, viz: Neah, Waatch, Tsoo-Yess, and Osett, occu-  
 20587 pying the country around Cape Classett or Flattery, on behalf  
 20588 of the said tribe and duly authorized by the same; which treaty  
 20589 is in the words and figures following, to wit :

20590 Articles of agreement and convention, made and concluded at  
 20591 Neah Bay, in the Territory of Washington, this thirty-first  
 20592 day of January, in the year eighteen hundred and fifty-five,  
 20593 by Isaac I. Stevens, governor and superintendent of Indian  
 20594 affairs for the said Territory, on the part of the United  
 20595 States, and the undersigned chiefs, head-men, and delegates  
 20596 of the several villages of the Makah tribe of Indians, viz :  
 20597 Neah Waatch, Tsoo-Yess, and Osett, occupying the country  
 20598 around Cape Classett or Flattery, on behalf of the said  
 20599 tribe and duly authorized by the same.

20600 ARTICLE 1. The said tribe hereby cedes, relinquishes, and  
 20601 conveys to the United States all their right, title, and interest  
 20602 in and to the lands and country occupied by it, bounded and  
 20603 described as follows, viz: Commencing at the mouth of the  
 20604 Oke-ho River, on the Straits of Fuca; thence running west-  
 20605 wardly with said straits to Cape Classett or Flattery; thence  
 20606 southwardly along the coast to Osett, or the Lower Cape Flat-  
 20607 tery; thence eastwardly along the line of lands occupied by the  
 20608 Kwe-déh-tut or Kwill-eh-yute tribe of Indians, to the summit of  
 20609 the coast-range of mountains, and thence northwardly along the  
 20610 line of lands lately ceded to the United States by the S'Klallam  
 20611 tribe to the place of beginning, including all the islands lying  
 20612 off the same on the straits and coast.

20613 ARTICLE 2. There is, however, reserved for the present use  
 20614 and occupation of the said tribe the following tract of land, viz :  
 20615 Commencing on the beach at the mouth of a small brook

20616 running into Neah Bay next to the site of the old Spanish fort;  
 20617 thence along the shore round Cape Classett or Flattery, to the  
 20618 mouth of another small stream running into the bay on the  
 20619 south side of said cape, a little above the Waatch village;  
 20620 thence following said brook to its source; thence in a straight  
 20621 line to the source of the first-mentioned brook, and thence fol-  
 20622 lowing the same down to the place of beginning; which said  
 20623 tract shall be set apart, and so far as necessary surveyed and  
 20624 marked out for their exclusive use; nor shall any white man be  
 20625 permitted to reside upon the same without permission of the  
 20626 said tribe and of the superintendent or agent; but if necessary  
 20627 for the public convenience, roads may be run through the said  
 20628 reservation, the Indians being compensated for any damage  
 20629 thereby done them. It is, however, understood that should the  
 20630 President of the United States hereafter see fit to place upon  
 20631 the said reservation any other friendly tribe or band to occupy  
 20632 the same in common with those above mentioned, he shall be at  
 20633 liberty to do so.

20634       ARTICLE 3. The said tribe agrees to remove to and settle  
 20635 upon the said reservation, if required so to do, within one year  
 20636 after the ratification of this treaty, or sooner, if the means are  
 20637 furnished them. In the mean time it shall be lawful for them  
 20638 to reside upon any land not in the actual claim and occupation  
 20639 of citizens of the United States, and upon any land claimed or  
 20640 occupied, if with the permission of the owner.

20641       ARTICLE 4. The right of taking fish and of whaling or seal-  
 20642 ing at usual and accustomed grounds and stations is further  
 20643 secured to said Indians in common with all citizens of the  
 20644 United States, and of erecting temporary houses for the purpose  
 20645 of curing, together with the privilege of hunting and gathering  
 20646 roots and berries on open and unclaimed lands: *Provided, how-*  
 20647 *ever,* That they shall not take shell-fish from any beds staked or  
 20648 cultivated by citizens.

20649       ARTICLE 5. In consideration of the above cession the  
 20650 United States agree to pay to the said tribe the sum of thirty  
 20651 thousand dollars, in the following manner, that is to say: Dur-  
 20652 ing the first year after the ratification hereof, three thousand  
 20653 dollars; for the next two years, twenty-five hundred dollars each  
 20654 year; for the next three years, two thousand dollars each year;  
 20655 for the next four years, one thousand five hundred dollars each  
 20656 year; and for the next ten years, one thousand dollars each  
 20657 year; all which said sums of money shall be applied to the use  
 20658 and benefit of the said Indians, under the direction of the Pres-  
 20659 ident of the United States, who may, from time to time, deter-  
 20660 mine, at his discretion, upon what beneficial objects to expend  
 20661 the same. And the superintendent of Indian affairs, or other

20662 proper officer, shall, each year, inform the President of the wishes  
20663 of said Indians in respect thereto.

20664       ARTICLE 6. To enable the said Indians to remove to and  
20665 settle upon their aforesaid reservation, and to clear, fence, and  
20666 break up a sufficient quantity of land for cultivation, the United  
20667 States further agree to pay the sum of three thousand dollars, to  
20668 be laid out and expended under the direction of the President,  
20669 and in such manner as he shall approve. And any substantial  
20670 improvements heretofore made by any individual Indian, and  
20671 which he may be compelled to abandon in consequence of this  
20672 treaty, shall be valued under the direction of the President and  
20673 payment made therefor accordingly.

20674       ARTICLE 7. The President may hereafter, when in his opin-  
20675 ion the interests of the Territory shall require, and the welfare  
20676 of said Indians be promoted thereby, remove them from said  
20677 reservation to such suitable place or places within said Territory  
20678 as he may deem fit, on remunerating them for their improve-  
20679 ments and the expenses of their removal, or may consolidate  
20680 them with other friendly tribes or bands; and he may further,  
20681 at his discretion, cause the whole, or any portion of the lands  
20682 hereby reserved, or such other land as may be selected in lieu  
20683 thereof, to be surveyed into lots, and assign the same to such  
20684 individuals or families as are willing to avail themselves of the  
20685 privilege, and will locate thereon as a permanent home, on the  
20686 same terms and subject to the same regulations as are provided  
20687 in the sixth article of the treaty with the Omahas, so far as the  
20688 same may be practicable.

20689       ARTICLE 8. The annuities of the aforesaid tribe shall not  
20690 be taken to pay the debts of individuals.

20691       ARTICLE 9. The said Indians acknowledge their dependence  
20692 on the Government of the United States, and promise to be  
20693 friendly with all citizens thereof, and they pledge themselves to  
20694 commit no depredations on the property of such citizens. And  
20695 should any one or more of them violate this pledge, and the fact  
20696 be satisfactorily proven before the agent, the property taken  
20697 shall be returned, or in default thereof, or if injured or destroyed,  
20698 compensation may be made by the Government out of their an-  
20699 nuities. Nor will they make war on any other tribe except in  
20700 self-defence, but will submit all matters of difference between  
20701 them and other Indians to the Government of the United States  
20702 or its agent for decision and abide thereby. And if any of the  
20703 said Indians commit any depredations on any other Indians  
20704 within the Territory, the same rule shall prevail as that pre-  
20705 scribed in this article in case of depredations against citizens.  
20706 And the said tribe agrees not to shelter or conceal offenders

20707 against the United States, but to deliver up the same for trial  
20708 by the authorities.

20709 ARTICLE 10. The above tribe is desirous to exclude from its  
20710 reservation the use of ardent spirits, and to prevent its people  
20711 from drinking the same, and therefore it is provided that any  
20712 Indian belonging thereto who shall be guilty of bringing liquor  
20713 into said reservation, or who drinks liquor, may have his or her  
20714 proportion of the annuities withheld from him or her for such  
20715 time as the President may determine.

20716 ARTICLE 11. The United States further agree to establish  
20717 at the general agency for the district of Puget's Sound, within  
20718 one year from the ratification hereof, and to support for the pe-  
20719 riod of twenty years, an agricultural and industrial school, to  
20720 be free to children of the said tribe in common with those of the  
20721 other tribes of said district, and to provide a smithy and  
20722 carpenter's shop, and furnish them with the necessary tools and  
20723 employ a blacksmith, carpenter, and farmer for the like term to  
20724 instruct the Indians in their respective occupations: *Provided,*  
20725 *however,* That should it be deemed expedient a separate school  
20726 may be established for the benefit of said tribe and such others  
20727 as may be associated with it, and the like persons employed for  
20728 the same purposes at some other suitable place. And the United  
20729 States further agree to employ a physician to reside at the said  
20730 central agency, or at such other school should one be established,  
20731 who shall furnish medicine and advice to the sick, and shall  
20732 vaccinate them; the expenses of the said school, shops, persons  
20733 employed, and medical attendance to be defrayed by the United  
20734 States and not deducted from the annuities.

20735 ARTICLE 12. The said tribe agrees to free all slaves now  
20736 held by its people, and not to purchase or acquire others here-  
20737 after.

20738 ARTICLE 13. The said tribe finally agrees not to trade at  
20739 Vancouver's Island or elsewhere out of the dominions of the  
20740 United States, nor shall foreign Indians be permitted to reside  
20741 in its reservation without consent of the superintendent or  
20742 agent.

20743 ARTICLE 14. This treaty shall be obligatory on the con-  
20744 tracting parties as soon as the same shall be ratified by the Pres-  
20745 ident of the United States.

20746 Proclaimed April 18, 1859.

20747 MANDANS.

20748 *Treaty with the Mandan tribe.*

20749 Whereas acts of hostility have been committed by some  
20750 restless men of the Mandan tribe of Indians upon some of the  
20751 citizens of the United States:

20752 Therefore, to put a stop to any further outrages of the sort,  
 20753 and to establish a more friendly understanding between the  
 20754 United States and the said Mandan tribe, the President of the  
 20755 United States, by Henry Atkinson, Brigadier-General of the  
 20756 United States Army, and Major Benjamin O'Fallon, Indian  
 20757 agent, commissioners duly appointed and commissioned to treat  
 20758 with the Indian tribes beyond the Mississippi River, forgive the  
 20759 offences which have been committed, the chiefs and warriors  
 20760 having first made satisfactory explanations touching the same.  
 20761 And, for the purpose of removing all future cause of misunder-  
 20762 standing as respects trade and friendly intercourse between the  
 20763 parties, the above-named commissioners on the part of the  
 20764 United States, and the undersigned chiefs and warriors of the  
 20765 Mandan tribe of Indians on the part of said tribe, have made  
 20766 and entered into the following articles and conditions, which,  
 20767 when ratified by the President of the United States, by and with  
 20768 the advice and consent of the Senate, shall be binding on both  
 20769 parties, to wit :

20770 ARTICLE 1. Henceforth there shall be a firm and lasting  
 20771 peace between the United States and the Mandan tribe of In-  
 20772 dians ; and a friendly intercourse shall immediately take place  
 20773 between the parties.

20774 ARTICLE 2. It is admitted by the Mandan tribe of Indians  
 20775 that they reside within the territorial limits of the United States,  
 20776 acknowledge their supremacy, and claim their protection. The  
 20777 said tribe also admit the right of the United States to regulate  
 20778 all trade and intercourse with them.

20779 ARTICLE 3. The United States agree to receive the Mandan  
 20780 tribe of Indians into their friendship and under their protection,  
 20781 and to extend to them, from time to time, such benefits and acts  
 20782 of kindness as may be convenient and seem just and proper to  
 20783 the President of the United States.

20784 ARTICLE 4. All trade and intercourse with the Mandan tribe  
 20785 shall be transacted at such place or places as may be designated  
 20786 and pointed out by the President of the United States through  
 20787 his agents ; and none but American citizens, duly authorized  
 20788 by the United States, shall be admitted to trade or hold inter-  
 20789 course with said tribe of Indians.

20790 ARTICLE 5. That the Mandan tribe may be accommodated  
 20791 with such articles of merchandize, &c., as their necessities may  
 20792 demand, the United States agree to admit and licence traders to  
 20793 hold intercourse with said tribe under mild and equitable regu-  
 20794 lations ; in consideration of which the Mandan tribe bind them-  
 20795 selves to extend protection to the persons and the property of  
 20796 the traders, and the persons legally employed under them, whilst  
 20797 they remain within the limits of their district of country. And

20798 the said Mandan tribe further agree that if any foreigner or  
 20799 other person not legally authorized by the United States shall  
 20800 come into their district of country for the purpose of trade or  
 20801 other views, they will apprehend such person or persons, and  
 20802 deliver him or them to some United States superintendent or  
 20803 agent of Indian affairs, or to the commandant of the nearest  
 20804 military post, to be dealt with according to law. And they fur-  
 20805 ther agree to give safe conduct to all persons who may be legally  
 20806 authorized by the United States to pass through their country,  
 20807 and to protect in their persons and property all agents or other  
 20808 persons sent by the United States to reside temporarily among  
 20809 them.

20810       ARTICLE 6. That the friendship which is now established  
 20811 between the United States and the Mandan tribe shall not be  
 20812 interrupted by the misconduct of individuals, it is hereby agreed  
 20813 that, for injuries done by individuals, no private revenge or re-  
 20814 taliation shall take place, but instead thereof complaints shall  
 20815 be made by the party injured to the superintendent or agent  
 20816 of Indian affairs, or other person appointed by the President;  
 20817 and it shall be the duty of the said chiefs, upon complaint being  
 20818 made as aforesaid, to deliver up the person or persons against  
 20819 whom the complaint is made, to the end that he or they may be  
 20820 punished agreeably to the laws of the United States. And, in  
 20821 like manner, if any robbery, violence, or murder, shall be com-  
 20822 mitted on any Indian or Indians belonging to said tribe, the per-  
 20823 son or persons so offending shall be tried, and if found guilty,  
 20824 shall be punished in like manner as if the injury had been done  
 20825 to a white man. And it is agreed that the chiefs of the said  
 20826 Mandan tribe shall, to the utmost of their power, exert them-  
 20827 selves to recover horses or other property which may be stolen  
 20828 or taken from a citizen or citizens of the United States, by any  
 20829 individual or individuals of said tribe; and the property so re-  
 20830 covered shall be forthwith delivered to the agents or other per-  
 20831 son authorized to receive it, that it may be restored to the  
 20832 proper owner. And the United States hereby guaranty to any  
 20833 Indian or Indians of said tribe a full indemnification for any  
 20834 horses or other property which may be stolen from them by any  
 20835 of their citizens: *Provided*, That the property so stolen cannot  
 20836 be recovered, and that sufficient proof is produced that it was  
 20837 actually stolen by a citizen of the United States. And the said  
 20838 Mandan tribe engage, on the requisition or demand of the Pres-  
 20839 ident of the United States, or of the agents, to deliver up any  
 20840 white man resident among them.

20841       ARTICLE 7. And the chiefs and warriors as aforesaid  
 20842 promise and engage that their tribe will never, by sale, ex-

20843 change, or as presents, supply any nation, tribe, or band of In-  
 20844 dians, not in amity with the United States, with guns, ammu-  
 20845 nition, or other implements of war.

20846 Proclaimed February 6, 1826.

20847

#### MENOMENEES.

20848 *A treaty of peace and friendship made and concluded by and be-*  
 20849 *tween William Clark, Ninian Edwards, and Auguste Chouteau,*  
 20850 *commissioners on the part and behalf of the United States of*  
 20851 *America, of the one part, and the undersigned chiefs and warriors,*  
 20852 *deputed by the Menominee tribe or nation of Indians, on the*  
 20853 *part and behalf of their said tribe or nation, of the other*  
 20854 *part.*

20855 The parties, being desirous of re-establishing peace and  
 20856 friendship between the United States and the said tribe or na-  
 20857 tion, and of being placed in all things, and in every respect, on  
 20858 the same footing upon which they stood before the late war,  
 20859 have agreed to the following articles :

20860 ARTICLE 1. Every injury or act of hostility by one or  
 20861 either of the contracting parties against the other shall be mu-  
 20862 tually forgiven and forgot.

20863 ARTICLE 2. There shall be perpetual peace and friendship  
 20864 between all the citizens of the United States and all the indi-  
 20865 viduals composing the said Menominee tribe or nation.

20866 ARTICLE 3. The undersigned chiefs and warriors, on the  
 20867 part and behalf of their said tribe or nation, do, by these pres-  
 20868 ents, confirm to the United States all and every cession of land  
 20869 heretofore made by their tribe or nation to the British, French,  
 20870 or Spanish government, within the limits of the United States,  
 20871 or their territories; and also all and every treaty, contract, and  
 20872 agreement heretofore concluded between the said United States  
 20873 and the said tribe or nation.

20874 ARTICLE 4. The contracting parties do hereby agree, promise,  
 20875 and oblige themselves, reciprocally, to deliver up all prisoners  
 20876 now in their hands (by what means soever the same may have  
 20877 come into their possession,) to the officer commanding at Prairie  
 20878 du Chien, to be by him restored to the respective parties hereto,  
 20879 as soon as it may be practicable.

20880 ARTICLE 5. The undersigned chiefs and warriors as afore-  
 20881 said, for themselves and those they represent, do hereby acknowl-  
 20882 edge themselves to be under the protection of the United States,  
 20883 and of no other nation, power, or sovereign whatsoever.

20884 Proclaimed December 26, 1817.

20885 *Articles of agreement made and concluded at the city of Washing-*  
 20886 *ton, this eighth day of February, one thousand eight hundred*  
 20887 *and thirty-one, between John H. Eaton, Secretary of War, and*  
 20888 *Samuel C. Stambaugh, Indian agent at Green Bay, specially*  
 20889 *authorized by the President of the United States, and the under-*  
 20890 *signed chiefs and head-men of the Menomonee Nation of Indians,*  
 20891 *fully authorized and empowered by the said nation to conclude*  
 20892 *and settle all matters provided for by this agreement.*

20893       The Menomonee tribe of Indians, by their delegates in coun-  
 20894 cil, this day, define the boundaries of their country as follows,  
 20895 to wit:

20896       On the *east* side of Green Bay, Fox River, and Winnebago  
 20897 Lake; beginning at the south end of Winnebago Lake; thence  
 20898 southeastwardly to the Milwaukee or Manawauky River; thence  
 20899 down said river to its mouth at Lake Michigan; thence north,  
 20900 along the shore of Lake Michigan, to the mouth of Green Bay;  
 20901 thence up Green Bay, Fox River, and Winnebago Lake to the  
 20902 place of beginning. And on the *west* side of Fox River as fol-  
 20903 lows: beginning at the mouth of Fox River; thence down the  
 20904 east shore of Green Bay, and across its mouth so as to include  
 20905 all the islands of the "Grand Traverse;" thence westerly, on the  
 20906 highlands between the Lake Superior and Green Bay, to the  
 20907 upper forks of the Menomonee River; thence to the Plover  
 20908 portage of the Wisconsin River; thence up the Wisconsin River  
 20909 to the Soft Maple River; thence to the source of the Soft Maple  
 20910 River; thence west to the Plume River, which falls into the  
 20911 Chippeway River; thence down said Plume River to its mouth;  
 20912 thence down the Chippeway River thirty miles; thence east-  
 20913 erly to the forks of the Manoy River, which falls into the Wis-  
 20914 consin River; thence down the said Manoy River to its mouth;  
 20915 thence down the Wisconsin River to the Wisconsin portage;  
 20916 thence across the said portage to the Fox River; thence down  
 20917 Fox River to its mouth at Green Bay, or the place of beginning.

20918       The country described within the above boundaries the Me-  
 20919 nomonees claim as the exclusive property of their tribe. Not  
 20920 yet having disposed of any of their lands, they receive no annu-  
 20921 ities from the United States, whereas their brothers the Pooto-  
 20922 wottomees on the south, and the Winnebagoes on the west, have  
 20923 sold a great portion of their country, receive large annuities,  
 20924 and are now encroaching upon the lands of the Menomonees.  
 20925 For the purposes, therefore, of establishing the boundaries of  
 20926 their country, and of ceding certain portions of their lands to  
 20927 the United States, in order to secure great and lasting benefits  
 20928 to themselves and posterity, as well as for the purpose of set-  
 20929 tling the long-existing dispute between themselves and the sev-

20930 eral tribes of the New York Indians, who claim to have pur-  
 20931 chased a portion of their lands, the undersigned, chiefs and head-  
 20932 men of the Menomonee tribe, stipulate and agree with the United  
 20933 States as follows:

20934 First. The Menomonee tribe of Indians declare themselves the  
 20935 friends and allies of the United States, under whose parental  
 20936 care and protection they desire to continue; and although  
 20937 always protesting that they are under no obligation to recog-  
 20938 nize any claim of the New York Indians to any portion of their  
 20939 country; that they neither sold nor received any value for the  
 20940 land claimed by these tribes; yet at the solicitation of their  
 20941 Great Father, the President of the United States, and as an  
 20942 evidence of their love and veneration for him, they agree that  
 20943 such part of the land described, being within the following  
 20944 boundaries, as he may direct, may be set apart as a home to the  
 20945 several tribes of the New York Indians, who may remove to and  
 20946 settle upon the same within three years from the date of this  
 20947 agreement, viz: beginning on the west side of Fox River, near  
 20948 the "Little Kackalin," at a point known as the "Old Mill  
 20949 Dam;" thence northwest forty miles; thence northeast to the  
 20950 Oconto Creek, falling into Green Bay; thence down said  
 20951 Oconto Creek to Green Bay; thence up and along Green  
 20952 Bay and Fox River to the place of beginning; excluding  
 20953 therefrom all private land claims confirmed, and also the follow-  
 20954 ing reservation for military purposes: beginning on the Fox  
 20955 River, at the mouth of the first creek above Fort Howard;  
 20956 thence north sixty-four degrees west to Duck Creek; thence  
 20957 down said Duck Creek to its mouth; thence up and along  
 20958 Green Bay and Fox River to the place of beginning. The  
 20959 Menomonee Indians also reserve for the use of the United  
 20960 States, from the country herein designated for the New York  
 20961 Indians, timber and fire-wood for the United States garrison,  
 20962 and as much land as may be deemed necessary for public high-  
 20963 ways, to be located by the direction and at the discretion of  
 20964 the President of the United States. The country hereby ceded  
 20965 to the United States for the benefit of the New York Indians  
 20966 contains by estimation about five hundred thousand acres, and  
 20967 includes all their improvements on the west side of Fox River.  
 20968 As it is intended for a home for the several tribes of the New  
 20969 York Indians who may be residing upon the lands at the expira-  
 20970 tion of three years from this date, and for none others, the Presi-  
 20971 dent of the United States is hereby empowered to apportion the  
 20972 lands among the actual occupants at that time, so as not to assign  
 20973 to any tribe a greater number of acres than may be equal to one  
 20974 hundred for each soul actually settled upon the lands, and if, at  
 20975 the time of such apportionment, any lands shall remain unoccu-

20976    pied by any tribe of the New York Indians, such portion as  
 20977    would have belonged to said Indians, had it been occupied, shall  
 20978    revert to the United States. That portion, if any, so reverting,  
 20979    to be laid off by the President of the United States. It is dis-  
 20980    tinctly understood that the lands hereby ceded to the United  
 20981    States for the New York Indians are to be held by those tribes,  
 20982    under such tenure as the Menomonee Indians now hold their  
 20983    lands, subject to such regulations and alteration of tenure as  
 20984    Congress and the President of the United States shall from  
 20985    time to time think proper to adopt.

20986        Second. For the above cession to the United States for the  
 20987    benefit of the New York Indians the United States consent to  
 20988    pay the Menomonee Indians twenty thousand dollars, five thou-  
 20989    sand to be paid on the first day of August next, and five thou-  
 20990    sand annually thereafter, which sums shall be applied to the  
 20991    use of the Menomonees after such manner as the President  
 20992    of the United States may direct.

20993        Third. The Menomonee tribe of Indians, in consideration of  
 20994    the kindness and protection of the Government of the United  
 20995    States, and for the purpose of securing to themselves and pos-  
 20996    terity a comfortable home, hereby cede and forever relinquish to  
 20997    the United States all their country on the southeast side of  
 20998    Winnebago Lake, Fox River, and Green Bay, which they describe  
 20999    in the following boundaries, to wit: Beginning at the south end  
 21000    of Winnebago Lake and running in a southeast direction to  
 21001    Milwauky or Manawauky River; thence down said river to its  
 21002    mouth; thence north, along the shore of Lake Michigan to the  
 21003    entrance of Green Bay; thence up and along Green Bay, Fox  
 21004    River, and Winnebago Lake to the place of beginning, excluding  
 21005    all private land claims which the United States have heretofore  
 21006    confirmed and sanctioned. It is also agreed that all the islands  
 21007    which lie in Fox River and Green Bay are likewise ceded; the  
 21008    whole comprising, by estimation, two million five hundred thou-  
 21009    sand acres.

21010        Fourth. The following-described tract of land, at present  
 21011    owned and occupied by the Menomonee Indians, shall be set  
 21012    apart and designated for their future homes, upon which their  
 21013    improvements as an agricultural people are to be made: Begin-  
 21014    ning on the west side of Fox River, at the "Old Mill Dam,"  
 21015    near the "Little Kackalin," and running up and along said river  
 21016    to the Winnebago Lake; thence along said lake to the mouth  
 21017    of Fox River; thence up Fox River to the Wolf River; thence  
 21018    up Wolf River to a point southwest of the west corner of the  
 21019    tract herein designated for the New York Indians; thence north-  
 21020    east to said west corner; thence southeast to the place of begin-  
 21021    ning. The above reservation being made to the Menomonee

21022 Indians for the purpose of weaning them from their wandering  
 21023 habits, by attaching them to comfortable homes, the President  
 21024 of the United States, as a mark of affection for his children of  
 21025 the Menomonee tribe, will cause to be employed five farmers of  
 21026 established character for capacity, industry, and moral habits,  
 21027 for ten successive years, whose duty it shall be to assist the  
 21028 Menomonee Indians in the cultivation of their farms, and to in-  
 21029 struct their children in the business and occupation of farming.  
 21030 Also, five females shall be employed, of like good character, for  
 21031 the purpose of teaching young Menomonee women in the busi-  
 21032 ness of useful housewifery during a period of ten years. The  
 21033 annual compensation allowed to the farmers shall not exceed  
 21034 five hundred dollars, and that of the females three hundred dol-  
 21035 lars. And the United States will cause to be erected houses  
 21036 suited to their condition on said lands as soon as the Indians  
 21037 agree to occupy them, for which ten thousand dollars shall be  
 21038 appropriated; also, houses for the farmers, for which three  
 21039 thousand dollars shall be appropriated; to be expended under  
 21040 the direction of the Secretary of War. Whenever the Menomo-  
 21041 nees thus settle their lands they shall be supplied with useful  
 21042 household articles, horses, cows, hogs, and sheep, farming uten-  
 21043 sils, and other articles of husbandry necessary to their comfort,  
 21044 to the value of six thousand dollars; and they desire that some  
 21045 suitable device may be stamped upon such articles to preserve  
 21046 them from sale or barter to evil-disposed white persons, none of  
 21047 which, nor any other articles with which the United States may  
 21048 at any time furnish them, shall be liable to sale, or be disposed  
 21049 of or bargained, without permission of the agent. The whole  
 21050 to be under the immediate care of the farmers employed to re-  
 21051 main among said Indians, but subject to the general controul  
 21052 of the United States Indian agent at Green Bay, acting under  
 21053 the Secretary of War. The United States will erect a grist and  
 21054 saw mill on Fox River for the benefit of the Menomonee Indians,  
 21055 and employ a good miller, subject to the direction of the agent,  
 21056 whose business it shall be to grind the grain required for the  
 21057 use of the Menomonee Indians and saw the lumber necessary  
 21058 for building on their lands, as also to instruct such young men  
 21059 of the Menomonee Nation as desire to and conveniently can  
 21060 be instructed in the trade of a miller. The expenses of erecting  
 21061 such mills and a house for the miller to reside in shall not ex-  
 21062 ceed six thousand dollars, and the annual compensation of the  
 21063 miller shall be six hundred dollars, to continue for ten years.  
 21064 And if the mills so erected by the United States can saw more  
 21065 lumber or grind more grain than is required for the proper use  
 21066 of said Menomonee Indians, the proceeds of such milling shall

21067 be applied to the payment of other expenses occurring in the  
21068 Green Bay agency, under the direction of the Secretary of War.

21069 In addition to the above provision made for the Menomo-  
21070 nee Indians, the President of the United States will cause articles  
21071 of clothing to be distributed among their tribe at Green Bay,  
21072 within six months from the date of this agreement, to the amount  
21073 of eight thousand dollars; and flour and wholesome provisions  
21074 to the amount of one thousand dollars, one thousand dollars to  
21075 be paid in specie; the cost of the transportation of the clothing  
21076 and provisions to be included in the sum expended. There shall  
21077 also be allowed annually thereafter, for the space of twelve suc-  
21078 cessive years, to the Menomonee tribe, in such manner and form  
21079 as the President of the United States shall deem most beneficial  
21080 and advantageous to the Indians, the sum of six thousand dol-  
21081 lars. As a matter of great importance to the Menomonees, there  
21082 shall be one or more gun and black smith's shops erected, to be  
21083 supplied with a necessary quantity of iron and steel, which, with  
21084 a shop at Green Bay, shall be kept up for the use of the tribe,  
21085 and continued at the discretion of the President of the United  
21086 States. There shall also be a house for an interpreter to reside  
21087 in, erected at Green Bay, the expenses not to exceed five hun-  
21088 dred dollars.

21089 Fifth. In the treaty of Butte des Morts, concluded in August,  
21090 1827, an article is contained, appropriating one thousand five  
21091 hundred dollars annually, for the support of schools in the  
21092 Menomonee country. And the representatives of the Menomo-  
21093 nee Nation, who are parties hereto, require, and it is agreed to,  
21094 that said appropriation shall be increased five hundred dollars,  
21095 and continued for ten years from this date, to be placed in the  
21096 hands of the Secretary at War, in trust for the exclusive use and  
21097 benefit of the Menomonee tribe of Indians, and to be applied by  
21098 him to the education of the children of the Menomonee Indians,  
21099 in such manner as he may deem most advisable.

21100 Sixth. The Menomonee tribe of Indians shall be at liberty  
21101 to hunt and fish on the lands they have now ceded to the  
21102 United States, on the east side of Fox River and Green Bay,  
21103 with the same privileges they at present enjoy, until it be sur-  
21104 veyed and offered for sale by the President; they conducting  
21105 themselves peaceably and orderly. The chiefs and warriors of  
21106 the Menomonee Nation, acting under the authority and on behalf  
21107 of their tribe, solemnly pledge themselves to preserve peace and  
21108 harmony between their people and the Government of the United  
21109 States forever. They neither acknowledge the power nor pro-  
21110 tection of any other State or people. A departure from this  
21111 pledge by any portion of their tribe shall be a forfeiture of the  
21112 protection of the United States Government, and their annuities  
21113 will cease. In thus declaring their friendship for the United

21114 States, however, the Menomonee tribe of Indians, having the  
 21115 most implicit confidence in their Great Father, the President of  
 21116 the United States, desire that he will, as a kind and faithful  
 21117 guardian of their welfare, direct the provisions of this compact to  
 21118 be carried into immediate effect. The Menomonee chiefs re-  
 21119 quest that such part of it as relates to the New York Indians  
 21120 be immediately submitted to the representatives of their tribes.  
 21121 And if they refuse to accept the provision made for their benefit,  
 21122 and to remove upon the lands set apart for them, on the west  
 21123 side of Fox River, that he will direct their immediate removal  
 21124 from the Menomonee country ; but if they agree to accept of the  
 21125 liberal offer made to them by the parties to this compact, then  
 21126 the Menomonee tribe, as dutiful children of their Great Father the  
 21127 President, will take them by the hand as brothers, and settle  
 21128 down with them in peace and friendship.

21129 The boundary, as stated and defined in this agreement, of  
 21130 the Menomonee country, with the exception of the cessions  
 21131 hereinbefore made to the United States, the Menomonees claim  
 21132 as their country ; that part of it adjoining the farming country,  
 21133 on the west side of Fox River, will remain to them as heretofore,  
 21134 for a hunting ground, until the President of the United States  
 21135 shall deem it expedient to extinguish their title. In that case  
 21136 the Menomonee tribe promise to surrender it immediately, upon  
 21137 being notified of the desire of Government to possess it ; the  
 21138 additional annuity then to be paid to the Menomonee tribe to  
 21139 be fixed by the President of the United States. It is conceded  
 21140 to the United States that they may enjoy the right of making  
 21141 such roads, and of establishing such military posts, in any part  
 21142 of the country now occupied by the Menomonee Nation, as the  
 21143 President at any time may think proper.

21144 As a further earnest of the good feeling on the part of their  
 21145 Great Father, it is agreed that the expenses of the Menomonee  
 21146 delegation to the city of Washington, and of returning, will be  
 21147 paid, and that a comfortable suit of clothes will be provided for  
 21148 each ; also, that the United States will cause four thousand dollars  
 21149 to be expended in procuring fowling-guns, and ammunition for  
 21150 them ; and likewise, in lieu of any garrison rations, hereafter  
 21151 allowed or received by them, there shall be procured and given  
 21152 to said tribe one thousand dollars' worth of good and wholesome  
 21153 provisions annually, for four years, by which time it is hoped  
 21154 their hunting habits may cease, and their attention be turned  
 21155 to the pursuits of agriculture.

21156

## SUPPLEMENTARY ARTICLES.

21157 First. It is agreed between the undersigned, commissioners  
 21158 on behalf of the United States, and the chiefs and warriors

21159 representing the Menomonee tribe of Indians, that, for the rea-  
 21160 sons above expressed, such parts of the *first* article of the agree-  
 21161 ment entered into between the parties hereto, on the eighth  
 21162 instant, as limits the removal and settlement of the New York  
 21163 Indians upon the lands therein provided for their future homes,  
 21164 to three years, shall be altered and amended, so as to read as  
 21165 follows: That the President of the United States shall prescribe  
 21166 the time for the removal and settlement of the New York In-  
 21167 dians upon the lands thus provided for them; and, at the expi-  
 21168 ration of such reasonable time, he shall apportion the land  
 21169 among the actual settlers, in such manner as he shall deem  
 21170 equitable and just. And if, within such reasonable time as the  
 21171 President of the United States shall prescribe for that purpose,  
 21172 the New York Indians shall refuse to accept the provisions  
 21173 made for their benefit, or, having agreed, shall neglect or refuse  
 21174 to remove from New York, and settle on the said lands, within  
 21175 the time prescribed for that purpose, that then, and in either of  
 21176 these events, the lands aforesaid shall be and remain the prop-  
 21177 erty of the United States, according to said *first* article, except-  
 21178 ing so much thereof as the President shall deem justly due to  
 21179 such of the New York Indians as shall actually have removed  
 21180 to and settled on the said lands.

21181       Second. It is further agreed that the part of the sixth ar-  
 21182 ticle of the agreement aforesaid which requires the removal of  
 21183 those of the New York Indians who may not be settled on the  
 21184 lands at the end of three years, shall be so amended as to leave  
 21185 such removal discretionary with the President of the United  
 21186 States; the Menomonee Indians having full confidence that in  
 21187 making his decision he will take into consideration the welfare  
 21188 and prosperity of their nation: *Provided*, That for the purpose  
 21189 of establishing the rights of the New York Indians on a per-  
 21190 manent and just footing, the said treaty shall be ratified with  
 21191 the express understanding that two townships of land on the  
 21192 east side of the Winnebago Lake, equal to forty-six thousand  
 21193 and eighty acres, shall be laid off, (to commence at some point  
 21194 to be agreed on,) for the use of the Stockbridge and Munsee  
 21195 tribes; and that the improvements made on the lands now in the  
 21196 possession of the said tribes, on the east side of the Fox River,  
 21197 which said lands are to be relinquished, shall, after being valued  
 21198 by a commissioner to be appointed by the President of the  
 21199 United States, be paid for by the Government: *Provided, how-*  
 21200 *ever*, That the valuation of such improvements shall not exceed  
 21201 the sum of twenty-five thousand dollars; and that there shall  
 21202 be one township of land, adjoining the foregoing, equal to  
 21203 twenty-three thousand and forty acres, laid off and granted for  
 21204 the use of the Brothertown Indians, who are to be paid, by

21205 the Government, the sum of one thousand six hundred dollars  
 21206 for the improvements on the lands now in their possession on  
 21207 the east side of Fox River, and which lands are to be relin-  
 21208 quished by said Indians; also, that a new line shall be run,  
 21209 parallel to the southwestern boundary-line or course of the tract  
 21210 of five hundred thousand acres described in the first article of  
 21211 this treaty, and set apart for the New York Indians, to com-  
 21212 mence at a point on the west side of the Fox River, and one  
 21213 mile above the Grand Shute on Fox River, and at a sufficient  
 21214 distance from the said boundary-line, as established by the said  
 21215 first article, as shall comprehend the additional quantity of two  
 21216 hundred thousand acres of land, on and along the west side of  
 21217 Fox River, without including any of the confirmed private land  
 21218 claims on the Fox River, and which two hundred thousand  
 21219 acres shall be a part of the five hundred thousand acres intended  
 21220 to be set apart for the Six Nations of the New York Indians and  
 21221 the St. Regis tribe; and that an equal quantity to that which  
 21222 is added on the southwestern side shall be taken off from the  
 21223 northeastern side of the said tract, described in that article, on  
 21224 the Oconto Creek, to be determined by a commissioner to be  
 21225 appointed by the President of the United States; so that the  
 21226 whole number of acres to be granted to the Six Nations and St.  
 21227 Regis tribe of Indians shall not exceed the quantity originally  
 21228 stipulated by the treaty.

21229 Proclaimed July 9, 1832.

21230 Whereas articles of agreement between the United States  
 21231 of America, and the Menominee Indians, were made and con-  
 21232 cluded at the city of Washington, on the eighth day of February,  
 21233 A. D. one thousand eight hundred and thirty-one, by John H.  
 21234 Eaton and Samuel C. Stambaugh, commissioners on the part of  
 21235 the United States, and certain chiefs and head-men of the Men-  
 21236 ominee Nation, on the part of said nation; to which articles an ad-  
 21237 dition or supplemental article was afterwards made, on the 17th  
 21238 day of February, in the same year, by which the said Menominee  
 21239 Nation agree to cede to the United States certain parts of their  
 21240 land; and that a tract of country therein defined shall be set apart  
 21241 for the New York Indians. All which, with the many other stip-  
 21242 ulations therein contained, will more fully appear by reference  
 21243 to the same. Which said agreements thus forming a *treaty*, were  
 21244 laid before the Senate of the United States during their then  
 21245 session, but were not at said session acted on by that body.  
 21246 Whereupon a further agreement was on the fifteenth day of  
 21247 March, in the same year, entered into for the purpose of pre-  
 21248 serving the provisions of the treaty, made as aforesaid; by  
 21249 which it is stipulated that the said articles of agreement, con-

21250 cluded as aforesaid, should be laid before the next Senate of the  
 21251 United States, at their ensuing session ; and if sanctioned and  
 21252 confirmed by them, that each and every article thereof should be  
 21253 as binding and obligatory upon the parties respectively as if  
 21254 they had been sanctioned at the previous session. And

21255 Whereas the Senate of the United States, by their resolution  
 21256 of the twenty-fifth day of June, one thousand eight hundred and  
 21257 thirty-two, did advise and consent to accept, ratify, and confirm  
 21258 the same, and every clause and article thereof, upon the *condi-*  
 21259 *tions* expressed in the proviso contained in their said resolution,  
 21260 which proviso is as follows: "*Provided*, That for the purpose of  
 21261 establishing the rights of the New York Indians on a perma-  
 21262 nent and just footing, the said treaty shall be ratified, with the  
 21263 express understanding that two townships of land on the east  
 21264 side of Winnebago Lake, equal to forty-six thousand and eighty  
 21265 acres, shall be laid off (to commence at some point to be agreed  
 21266 on) for the use of the Stockbridge and Munsee tribes; and that  
 21267 the improvements made on the lands now in the possession of  
 21268 the said tribes on the east side of the Fox River, which said  
 21269 lands are to be relinquished, shall, after being valued by a com-  
 21270 missioner to be appointed by the President of the United States,  
 21271 be paid for by the Government: *Provided, however*, That the  
 21272 valuation of such improvements shall not exceed the sum of  
 21273 twenty-five thousand dollars. And that there shall be one town-  
 21274 ship of land adjoining the foregoing, equal to twenty-three thou-  
 21275 sand and forty acres, laid off and granted for the use of the  
 21276 Brothertown Indians, who are to be paid by the Government  
 21277 the sum of one thousand six hundred dollars for the improve-  
 21278 ments on the lands now in their possession, on the east side of  
 21279 Fox River, and which lands are to be relinquished by said In-  
 21280 dians; also that a new line shall be run, parallel to the south-  
 21281 western boundary-line or course of the tract of five hundred  
 21282 thousand acres described in the first article of this treaty, and  
 21283 set apart for the New York Indians, to commence at a point on the  
 21284 west side of the Fox River, and one mile above the Grand Shute,  
 21285 on Fox River, and at a sufficient distance from the said bound-  
 21286 ary-line as estimated by the said first article, as shall compre-  
 21287 hend the additional quantity of two hundred thousand acres of  
 21288 land on and along the west side of Fox River, without including  
 21289 any of the confirmed private land claims on the Fox River ;  
 21290 and which two hundred thousand acres shall be a part of the  
 21291 five hundred thousand acres intended to be set apart for the  
 21292 Six Nations of the New York Indians and the St. Regis tribe ;  
 21293 and that an equal quantity to that which is added to the south-  
 21294 western side shall be taken off from the northeastern side of the  
 21295 said tract described in that article, on the Oconto Creek, to be

21296 determined by a commissioner to be appointed by the President  
 21297 of the United States ; so that the whole number of acres to be  
 21298 granted to the Six Nations and St. Regis tribe of Indians shall  
 21299 not exceed the quantity originally stipulated by the treaty."  
 21300 And

21301 Whereas, before the treaty aforesaid, *conditionally* ratified,  
 21302 according to the proviso to the said resolution of the Senate,  
 21303 above recited, could be obligatory upon the said Menominee  
 21304 Nation, their assent to the same must be had and obtained.

21305 And whereas the honorable Lewis Cass, Secretary of the  
 21306 Department of War, by his letter of instructions of the eleventh  
 21307 day of September, A. D. 1832, did authorize and request George  
 21308 B. Porter, Governor of the Territory of Michigan, to proceed to  
 21309 Green Bay, and endeavor to procure the assent of the Menom-  
 21310 inees to the change proposed by the Senate, as above set forth ;  
 21311 urging the necessity of directing his first efforts to an attempt to  
 21312 procure the unconditional assent of the Menominees to the said  
 21313 treaty, as ratified by the Senate. But should he fail in this ob-  
 21314 ject that he would then endeavor to procure their assent to the  
 21315 best practicable terms, short of those proposed by the Senate ;  
 21316 giving them to understand that he merely received such propo-  
 21317 sition as they might make, with a view to transmit it for the  
 21318 consideration of the President and Senate of the United States.  
 21319 And if this course became necessary that it would be very desira-  
 21320 ble that the New York Indians should also signify their ac-  
 21321 ceptance of the modifications required by the Menominees.

21322 And whereas, in pursuance of the said instructions, the  
 21323 said George B. Porter proceeded to Green Bay, and having as-  
 21324 sembled all the chiefs and head-men of the Menominee Nation,  
 21325 in council, submitted to them, on the twenty-second day of Oc-  
 21326 tober, A. D. one thousand eight hundred and thirty-two, the  
 21327 said proviso annexed to the resolution aforesaid of the Senate  
 21328 of the United States, for the ratification of the said treaty ; and  
 21329 advised and urged on them the propriety of giving their assent to  
 21330 the same. And the said chiefs and head-men having taken time  
 21331 to deliberate and reflect on the proposition so submitted to them,  
 21332 and which they had been urged to assent to, did in the most  
 21333 positive and decided manner refuse to give their assent to the  
 21334 same. (The many reasons assigned for this determination, by  
 21335 them, being reported in the journal of the said commissioner,  
 21336 which will be transmitted with this agreement.)

21337 And whereas, after failing in the object last stated, the said  
 21338 George B. Porter endeavored to procure the assent of the said  
 21339 chiefs and head-men of the Menominee Nation to the best prac-  
 21340 ticable terms short of those proposed by the Senate of the  
 21341 United States : and after much labor and pains, entreaty and

21342 persuasion, the said Menominees consented to the following, as  
 21343 the modifications which they would make; and which are re-  
 21344 duced to writing, in the form of an agreement, as the best prac-  
 21345 ticable terms which could be obtained from them, short of those  
 21346 proposed by the Senate of the United States, which they had  
 21347 previously positively refused to accede to. And as the modifi-  
 21348 cations so made and desired have been acceded to by the New  
 21349 York Indians, with a request that the treaty thus modified  
 21350 might be ratified and approved by the President and the Senate of  
 21351 the United States, it is the anxious desire of the Menominees,  
 21352 also, that the treaty, with these alterations, may be ratified and  
 21353 approved without delay, that they may receive the benefits and  
 21354 advantage secured to them by the several stipulations of the  
 21355 said treaty, of which they have so long been deprived.

21356 The following is the article of agreement made between the  
 21357 said George B. Porter, commissioner on the part of the United  
 21358 States, specially appointed as aforesaid, and the said Menominee  
 21359 Nation, through their chiefs and head-men on the part of their  
 21360 Nation:

21361 First. The said chiefs and head-men of the Menominee Nation  
 21362 of Indians do not object to any of the matters contained in the pro-  
 21363 viso annexed to the resolution of the Senate of the United States,  
 21364 so far as the same relate to the granting of three townships of land  
 21365 on the east side of Winnebago Lake, to the Stockbridge, Mun-  
 21366 see, and Brothertown tribes; to the valuation and payment for  
 21367 their improvements, &c., (ending with the words "*and which*  
 21368 *lands are to be relinquished by said Indians.*") They therefore as-  
 21369 sent to the same.

21370 Second. The said chiefs and head-men of the Menominee  
 21371 Nation of Indians, objecting to all the matters contained in the  
 21372 said proviso annexed to the resolution of the Senate of the  
 21373 United States, so far as the same relate to the running of a new  
 21374 line parallel to the southwestern boundary-line or course of the tract  
 21375 of five hundred thousand acres, described in the first article of the  
 21376 treaty, and set apart for the New York Indians, to commence at  
 21377 a point on the southwestern side of Fox River, and one mile  
 21378 above the Grand Shute, on Fox River, and at a sufficient dis-  
 21379 tance from the said boundary-line, as established by the said  
 21380 first article, as shall comprehend the additional quantity of two  
 21381 hundred thousand acres of land, on and along the west side of  
 21382 the Fox River, without including any of the confirmed private  
 21383 land claims, on the Fox River, to compose a part of the five  
 21384 hundred thousand acres intended to be set apart for the Six  
 21385 Nations of the New York Indians and St. Regis tribe, *agree*, in  
 21386 lieu of this proposition, to set off a like quantity of two hundred  
 21387 thousand acres as follows: The said Menominee Nation hereby

21388 agree to cede, for the benefit of the New York Indians along the  
 21389 southwestern boundary-line of the present five hundred thousand  
 21390 acres described in the first article of the treaty as set apart for  
 21391 the New York Indians, a tract of land, bounded as follows:  
 21392 Beginning on the said treaty line, at the old mill-dam on Fox  
 21393 River, and thence extending up along Fox River to the little  
 21394 *Rapid Croche*; from thence running a northwest course three  
 21395 miles; thence on a line running parallel with the several courses  
 21396 of Fox River, and three miles distant from the river, until it  
 21397 will intersect a line, running on a northwest course, commencing  
 21398 at a point one mile above the Grand Shute; thence on a line  
 21399 running northwest, so far as will be necessary to include, between  
 21400 the said last line and the line described as the southwestern  
 21401 boundary-line of the five hundred thousand acres in the treaty  
 21402 aforesaid, the quantity of two hundred thousand acres; and  
 21403 thence running northeast until it will intersect the line forming  
 21404 the southwestern boundary-line aforesaid; and from thence along  
 21405 the said line to the old mill-dam, or place of beginning; contain-  
 21406 ing two hundred thousand acres. Excepting and reserving  
 21407 therefrom the *privilege* of Charles A. Grignon, for erecting a mill  
 21408 on Apple Creek, &c., as approved by the Department of War on  
 21409 the twenty-second day of April one thousand eight hundred and  
 21410 thirty-one, and all confirmed private land claims on the Fox  
 21411 River. The lines of the said tract of land so granted to be run,  
 21412 marked, and laid off without delay, by a commissioner to be ap-  
 21413 pointed by the President of the United States. And that in ex-  
 21414 change for the above, a quantity of land equal to that which is  
 21415 added to the southwestern side shall be taken off from the  
 21416 northeastern side of the said tract, described in that article, on  
 21417 the Oconto Creek, to be run, marked, and determined by the  
 21418 commissioner to be appointed by the President of the United  
 21419 States, as aforesaid, so that the whole number of acres to be  
 21420 granted to the Six Nations and St. Regis tribe of Indians shall  
 21421 not exceed the quantity of five hundred thousand acres.

21422 Third. The said chiefs and head-men of the Menominee Na-  
 21423 tion agree, that in case the said original treaty, made as afore-  
 21424 said, and the supplemental articles thereto, be ratified and con-  
 21425 firmed at the ensuing session of the Senate of the United States,  
 21426 with the modifications contained in this agreement, that each  
 21427 and every article thereof shall be as binding and obligatory upon  
 21428 the parties, respectively, as if they had been sanctioned at the  
 21429 times originally agreed upon.

21430 In consideration of the above voluntary sacrifices of their  
 21431 interest, made by the said Menominee Nation, and as evidence  
 21432 of the good feeling of their Great Father, the President of the  
 21433 United States, the said George B. Porter, commissioner as afore-

21434 said, has delivered to the said chiefs, head-men, and the people  
 21435 of the said Menominee Nation here assembled, presents in cloth-  
 21436 ing to the amount of one thousand dollars, five hundred bushels  
 21437 of corn, ten barrels of pork, and ten barrels of flour, &c., &c.

21438 N. B.—All the provisions of the foregoing treaty, as well  
 21439 as those of that of 1831, which bind the United States to pay  
 21440 for farmers, blacksmiths, millers, &c., are annulled; as also  
 21441 those in regard to appropriations for education, improvements  
 21442 on Fox River and Winnebago Lake, and for providing cattle,  
 21443 farming utensils, or other articles, are annulled by the third  
 21444 article of the treaty of September 3, 1836, proclaimed Febru-  
 21445 ary 15, 1837, (page 483.)

21446

## APPENDIX.

21447 *To all to whom these presents shall come, the undersigned, chiefs*  
 21448 *and head-men of the sundry tribes of New York Indians, (as*  
 21449 *set forth in the specifications annexed to their signatures,) send*  
 21450 *greeting :*

21451 Whereas a tedious, perplexing, and harassing dispute and  
 21452 controversy have long existed between the Menominee Nation  
 21453 of Indians and the New York Indians, more particularly known  
 21454 as the Stockbridge, Mansee, and Brothertown tribes, the Six Na-  
 21455 tions and St. Regis tribe. The treaty made between the said Meno-  
 21456 minee Nation and the United States, and the conditional ratifica-  
 21457 tion thereof by the Senate of the United States, being stated and  
 21458 set forth in the within agreement, entered into between the chiefs  
 21459 and head-men of the said Menominees, and George B. Porter,  
 21460 governor of Michigan, commissioner specially appointed, with  
 21461 instructions referred to in the said agreement;

21462 And whereas the undersigned are satisfied, and believe, that  
 21463 the best efforts of the said commissioner were directed and used  
 21464 to procure, if practicable, the unconditional assent of the said  
 21465 Menominees to the change proposed by the Senate of United  
 21466 States in the ratification of said treaty, but without success;

21467 And whereas the undersigned further believe that the terms  
 21468 stated in the within agreement are the best practicable terms,  
 21469 short of those proposed by the Senate of the United States, which  
 21470 could be obtained from the said Menominees; and being asked to  
 21471 signify our acceptance of the modifications proposed as aforesaid  
 21472 by the Menominees, we are compelled, by a sense of duty and pro-  
 21473 priety, to say that we do hereby accept of the same. So far as  
 21474 the tribes to which we belong are concerned, we are perfectly  
 21475 satisfied that the treaty should be ratified on the terms proposed  
 21476 by the Menominees. We further believe that the tract of land  
 21477 which the Menominees in the within agreement are willing to

21478 cede, in exchange for an equal quantity on the northeast side of  
 21479 the tract of five hundred thousand acres, contains a sufficient  
 21480 quantity of good land, favorably and advantageously situated,  
 21481 to answer all the wants of the New York Indians, and St. Regis  
 21482 tribe. For the purpose, then, of putting an end to strife, and  
 21483 that we may all sit down in peace and harmony, we thus signify  
 21484 our acceptance of the modifications proposed by the Menomi-  
 21485 nees; and we most respectfully request that the treaty as now  
 21486 modified by the agreement this day entered into with the Me-  
 21487 nominees, may be ratified and approved by the President and  
 21488 Senate of the United States.

21489 Proclaimed March 13, 1835.

21490 *Articles of agreement made and concluded at Cedar Point, on Fox*  
 21491 *River, near Green Bay, in the Territory of Wisconsin, this*  
 21492 *third day of September, in the year of our Lord one thousand*  
 21493 *eight hundred and thirty-six, between Henry Dodge, governor*  
 21494 *of said Territory of Wisconsin, commissioner on the part of*  
 21495 *the United States, on the one part, and the chiefs and head-*  
 21496 *men of the Menomonie Nation of Indians of the other part.*

21497 ARTICLE 1. The said Menomonie Nation agree to cede to  
 21498 the United States all of that tract or district of country included  
 21499 within the following boundaries, viz: Beginning at the mouth  
 21500 of Wolf River, and running up and along the same to a point  
 21501 on the north branch of said river where it crosses the extreme  
 21502 north or rear line of the five hundred thousand acre tract hereto-  
 21503 fore granted to the New York Indians; thence following the line  
 21504 last mentioned, in a northeastwardly direction, three miles;  
 21505 thence in a northwardly course, to the upper forks of the Me-  
 21506 nomonie River, at a point to intersect the boundary-line between  
 21507 the Menomonie and Chippewa Nation of Indians; thence follow-  
 21508 ing the said boundary-line last mentioned in an eastwardly di-  
 21509 rection as defined and established by the treaty of the Little  
 21510 Bute des Mort, in 1827, to the Smooth Rock or Shos-kin-aubie  
 21511 River; thence down the said river to where it empties into Green  
 21512 Bay, between the Little and Great Bay de Noquet; thence up  
 21513 and along the west side of Green Bay (and including all the  
 21514 islands therein not heretofore ceded) to the mouth of Fox River;  
 21515 thence up and along the said Fox River, and along the west  
 21516 side of Winnebago Lake (including the islands therein) to the  
 21517 mouth of Fox River, where it empties into said lake; thence up  
 21518 and along said Fox River to the place of beginning, (saving and  
 21519 reserving out of the district of country above ceded and de-  
 21520 scribed, all that part of the five hundred thousand acre tract  
 21521 granted by the treaties between the Menomonies and the United

21522 States, made on the eighth day of February, A. D. 1831, and on  
 21523 the twenty-seventh day of October, A. D. 1832, which may be  
 21524 situated within the boundaries hereinbefore described,) the  
 21525 quantity of land contained in the tract hereby ceded being  
 21526 estimated at about four millions of acres.

21527 And the said Menomonie Nation do further agree to cede  
 21528 and relinquish to the United States all that tract or district of  
 21529 country lying upon the Wisconsin River in said Territory, and  
 21530 included within the following boundaries, viz: Beginning at a  
 21531 point upon said Wisconsin River, two miles above the grant or  
 21532 privilege heretofore granted by said nation and the United  
 21533 States to Amable Grignon; thence running up and along said  
 21534 river forty-eight miles in a direct line, and being three miles in  
 21535 width on each side of said river; this tract to contain eight town-  
 21536 ships or one hundred and eighty-four thousand three hundred  
 21537 and twenty acres of land.

21538 ARTICLE 2. In consideration of the cession of the aforesaid  
 21539 tract of land, the United States agree to pay to the said Meno-  
 21540 monie Nation, at the lower end of Wah-ne-kun-nah Lake in their  
 21541 own country, or at such other place as may be designated by the  
 21542 President of the United States, the sum of twenty thousand  
 21543 dollars per annum for the term of twenty years.

21544 The United States further agree to pay and deliver to the  
 21545 said Indians, each and every year during the said term of  
 21546 twenty years, the following articles: Three thousand dollars'  
 21547 worth of provisions; two thousand pounds of tobacco; thirty  
 21548 barrels of salt; also the sum of five hundred dollars per year  
 21549 during the same term, for the purchase of farming utensils,  
 21550 cattle, or implements of husbandry, to be expended under the  
 21551 direction of the superintendent or agent. Also to appoint and  
 21552 pay two blacksmiths, to be located at such places as may be  
 21553 designated by the said superintendent or agent, to erect (and  
 21554 supply with the necessary quantity of iron, steel, and tools) two  
 21555 blacksmith-shops, during the same term.

21556 The United States shall also pay the just debts of the said  
 21557 Menomonie Indians, agreeably to the schedule hereunto annexed,  
 21558 amounting to the sum of ninety-nine thousand seven hundred  
 21559 and ten dollars and fifty cents: *Provided, always,* That no part  
 21560 or portion of said debts shall be paid until the validity and  
 21561 justice of each of them shall have been inquired into by the  
 21562 superintendent of Indian affairs, who shall in no instance in-  
 21563 crease the amount specified in said schedule, but who shall allow  
 21564 the sum specified, reject it entirely, or reduce it as upon exami-  
 21565 nation and proof may appear just; and if any part of said sum  
 21566 is left, after paying said debts so adjudged to be just, then such  
 21567 surplus shall be paid to the said Indians for their own use.

21568 . And whereas the said Indians are desirous of making some  
 21569 provision and allowance to their relatives and friends of mixed  
 21570 blood, the United States do further agree to pay the sum of  
 21571 eighty thousand dollars, to be divided among all such persons  
 21572 of mixed blood as the chiefs shall hereafter designate; said sum  
 21573 to be apportioned and divided under the direction of a commis-  
 21574 sioner to be appointed by the President: *Provided, always,* That  
 21575 no person shall be entitled to any part of said fund unless he is  
 21576 of Indian descent and actually resident within the boundaries  
 21577 described in the first article of this treaty; nor shall anything  
 21578 be allowed to any such person who may have received any  
 21579 allowance under any previous treaty. The portions of this fund  
 21580 allowed by the commissioner to those half-breeds who are  
 21581 orphans, or poor or incompetent to make a proper use thereof,  
 21582 shall be paid to them in instalments or otherwise, as the Presi-  
 21583 dent may direct.

21584 ARTICLE 3. The said Menomonie Nation do agree to release  
 21585 the United States from all such provisions of the treaty of 1831  
 21586 and 1832, aforesaid, as requires the payment of farmers, black-  
 21587 smiths, millers, &c. They likewise relinquish all their right  
 21588 under said treaty to appropriation for education, and to all im-  
 21589 provements made or to be made upon their reservation on Fox  
 21590 River and Winnebago Lake, together with the cattle, farming  
 21591 utensils or other articles furnished or to be furnish[ed] to them  
 21592 under said treaty. And in consideration of said release and  
 21593 relinquishment, the United States stipulate and agree that the  
 21594 sum of seventy-six thousand dollars shall be allowed to the said  
 21595 Indians, and this sum shall be invested in some safe stock, and the  
 21596 interest thereof as it accrues shall also be so vested until such  
 21597 time as in the judgment of the President the income of the  
 21598 aggregate sum can be usefully applied to the execution of the  
 21599 provisions in the said fourth article, or to some other purposes  
 21600 beneficial to the said Indians.

21601 ARTICLE 4. The above annuities shall be paid yearly and  
 21602 every year during the said term, in the month of June or July,  
 21603 or as soon thereafter as the amount shall be received; and the  
 21604 said Menomonie Nation do agree to remove from the country  
 21605 ceded within one year after the ratification of this treaty.

21606 This treaty shall be binding and obligatory on the contract-  
 21607 ing parties as soon as the same shall be ratified by the President  
 21608 and Senate of the United States.

21609 Proclaimed February 15, 1837.

21610 SCHEDULE.

21611 It is agreed on the part of the United States, that the follow-  
 21612 ing claims shall be allowed and paid, agreeably to the second  
 21613 article of the foregoing treaty, viz:

- 21614 To John Lawe, twelve thousand five hundred dollars.
- 21615 To Augustine Grignon, ten thousand dollars.
- 21616 To William Powell and Robert Grignon, four thousand two
- 21617 hundred and fifty dollars.
- 21618 To Charles A. Grignon, ten thousand dollars.
- 21619 To John Lawe & Co., six thousand dollars.
- 21620 To Walter T. Webster, one hundred dollars.
- 21621 To John P. Arndt, five hundred and fifty dollars.
- 21622 To William Farnsworth and Charles R. Brush, two thousand
- 21623 five hundred dollars.
- 21624 To James Porlier, seven thousand five hundred dollars.
- 21625 To heirs of Louis Beaupre, one thousand five hundred dollars.
- 21626 To Dominick Brunette, two hundred and thirty-one dollars
- 21627 and fifty cents.
- 21628 To Alexander J. Irwin, one thousand two hundred and fifty
- 21629 dollars.
- 21630 To American Fur Company (western outfit) four hundred
- 21631 dollars.
- 21632 To Charles Grignon, one thousand two hundred dollars.
- 21633 To Joseph Rolette, one thousand seven hundred and fifty
- 21634 dollars.
- 21635 To Charles A. and Alexander Grignon, seven hundred and
- 21636 fifty dollars.
- 21637 To James Reed, seven hundred dollars.
- 21638 To Peter Powell, one thousand seven hundred and fifty
- 21639 dollars.
- 21640 To Paul Grignon, five thousand five hundred dollars.
- 21641 To William Dickinson, three thousand dollars.
- 21642 To Robert M. Eberts, seventy-four dollars.
- 21643 To Joseph Jourdain, fifty dollars.
- 21644 To James Knaggs, five hundred and fifty dollars, (\$550.)
- 21645 To Ebenezer Childs, two hundred dollars:
- 21646 To Lewis Rouse, five thousand dollars.
- 21647 To William Farnsworth, two thousand five hundred dollars.
- 21648 To Saml. Irwin & Geo. Boyd, jr., one hundred and five
- 21649 dollars.
- 21650 To Aneyas Grignon, two thousand five hundred dollars.
- 21651 To Pierre Grignon, deceased, by Rob. & Peter B. Grignon,
- 21652 six thousand dollars.
- 21653 To Stanislius Chappue, one hundred dollars.
- 21654 To John Lawe, one thousand two hundred dollars.
- 21655 To William Dickinson, two hundred and fifty dollars.
- 21656 To Stanislius Chappue, two thousand five hundred dollars.
- 21657 To Lewis Grignon, seven thousand two hundred and fifty
- 21658 dollars.

21659 *Articles of a treaty made and concluded at Lake Pow-aw-hay-kon-*  
 21660 *nay, in the State of Wisconsin, on the eighteenth day of October,*  
 21661 *one thousand eight hundred and forty-eight, between the*  
 21662 *United States of America, by William Medill, a commissioner*  
 21663 *duly appointed for that purpose, and the Menomonee tribe of*  
 21664 *Indians, by the chiefs, head-men, and warriors of said tribe.*

21665 ARTICLE 1. It is stipulated and solemnly agreed that the  
 21666 peace and friendship now so happily subsisting between the  
 21667 Government and people of the United States and the Menomo-  
 21668 nee Indians shall be perpetual.

21669 ARTICLE 2. The said Menomonee tribe of Indians agree to  
 21670 cede, and do hereby cede, sell, and relinquish to the United  
 21671 States all their lands in the State of Wisconsin, wherever situ-  
 21672 ated.

21673 ARTICLE 3. In consideration of the foregoing cession, the  
 21674 United States agree to give, and do hereby give, to said Indians  
 21675 for a home, to be held as Indians' lands are held, all that coun-  
 21676 try or tract of land ceded to the said United States by the Chip-  
 21677 pewa Indians of the Mississippi and Lake Superior, in the treaty  
 21678 of August 2, 1847, and the Pillager band of Chippewa Indians,  
 21679 in the treaty of August 21, 1847, which may not be assigned to  
 21680 the Winnebago Indians, under the treaty with that tribe of  
 21681 October 13, 1846, and which is guarantied to contain not less  
 21682 than six hundred thousand acres.

21683 ARTICLE 4. In further and full consideration of said ces-  
 21684 sion, the United States agree to pay the sum of three hundred  
 21685 and fifty thousand dollars, at the several times, in the manner,  
 21686 and for the purposes following, viz :

21687 To the chiefs, as soon after the same shall be appropriated  
 21688 by Congress as may be convenient, to enable them to arrange  
 21689 and settle the affairs of their tribe preparatory to their removal  
 21690 to the country set apart for and given to them as above, thirty  
 21691 thousand dollars.

21692 To such persons of mixed blood, and in such proportion to  
 21693 each as the chiefs in council, and a commissioner to be appointed  
 21694 by the President, shall designate and determine, and as soon  
 21695 after the appropriation thereof as may be found practicable and  
 21696 expedient, forty thousand dollars.

21697 In such manner and at such times as the President shall  
 21698 prescribe, in consideration of their removing themselves, which  
 21699 they agree to do, without further cost or expense to the United  
 21700 States, twenty thousand dollars.

21701 In such manner and at such times as the President shall  
 21702 prescribe, in consideration of their subsisting themselves the  
 21703 first year after their removal, which they agree to do, without

21704 further cost or expense on the part of the United States, twenty  
21705 thousand dollars.

21706 To be laid out and applied, under the direction of the Pres-  
21707 ident, in the establishment of a manual-labor school, the erection  
21708 of a grist and saw mill, and other necessary improvements in  
21709 their new country, fifteen thousand dollars.

21710 To be laid out and applied, under the direction of the Pres-  
21711 ident, in procuring a suitable person to attend and carry on the  
21712 said grist and saw mill for a period of fifteen years, nine thou-  
21713 sand dollars.

21714 To be laid out and applied, under the direction of the Pres-  
21715 ident, in continuing and keeping up a blacksmith's shop, and  
21716 providing the usual quantity of iron and steel for the use and  
21717 benefit of said tribe, for a period of twelve years, commencing  
21718 with the year one thousand eight hundred and fifty-seven, and  
21719 when all provision for blacksmiths' shops under the treaty of  
21720 1836 shall cease, eleven thousand dollars.

21721 To be set apart, applied, and distributed under the direction  
21722 of the President, in payment of individual improvements of the  
21723 tribe upon the lands above ceded to the United States, five  
21724 thousand dollars.

21725 And the balance, amounting to the sum of two hundred  
21726 thousand dollars, to be paid over to the tribe, as Indian annui-  
21727 ties are required to be paid, in ten equal annual instalments,  
21728 commencing with the year one thousand eight hundred and  
21729 fifty-seven, and when their annuities or annual instalments un-  
21730 der the treaty of 1836 shall have ceased.

21731 ARTICLE 5. It is stipulated and agreed that the sum now  
21732 invested in stocks under the Senate's amendment to the treaty  
21733 of 1836, with the interest due thereon at this time, shall be and  
21734 remain invested, under the direction of the President, and that  
21735 the interest hereafter arising therefrom shall be disposed of as  
21736 follows: that is to say, so much thereof as may be necessary to  
21737 the support and maintenance of the said manual-labor school, and  
21738 other means of education, and the balance be annually paid  
21739 over in money as other annuities, or applied for the benefit and  
21740 improvement of said tribe, as the President, on consultation  
21741 with the chiefs, may from time to time determine.

21742 ARTICLE 6. To enable the said Indians to explore and ex-  
21743 amine their new country, and as an inducement to an early re-  
21744 moval thereto, it is agreed that the United States will pay the  
21745 necessary expenses of a suitable delegation, to be selected for  
21746 that purpose, under the direction of the President.

21747 ARTICLE 7. It is alleged that there were less goods deliv-  
21748 ered to the said Indians at the annuity payment of 1837 than  
21749 were due and required to be paid and delivered to them under

21750 the stipulations of their treaties with the United States then in  
 21751 force; and it is therefore agreed that the subject shall be prop-  
 21752 erly investigated, and that full indemnity shall be made to them  
 21753 for any loss which they may be shown to have sustained.

21754 ARTICLE 8. It is agreed that the said Indians shall be per-  
 21755 mitted, if they desire to do so, to remain on the lands hereby  
 21756 ceded for and during the period of two years from the date  
 21757 hereof, and until the President shall notify them that the same  
 21758 are wanted.

21759 ARTICLE 9. It is stipulated that Robert Grigon, who has  
 21760 erected a saw-mill upon the Little Wolf River at his own expense,  
 21761 for the benefit and at the request of said Indians, shall have the  
 21762 right of a pre-emptor to the lands upon which such improve-  
 21763 ments are situated, not exceeding in quantity on both sides of  
 21764 said river one hundred and sixty acres.

21765 ARTICLE 10. This treaty to be binding on the contracting  
 21766 parties as soon as it is ratified by the President and Senate of  
 21767 the United States.

21768 Ratified January 23, 1849.

21769 FRANKLIN PIERCE, President of the United States of America,  
 21770 to all and singular to whom these presents shall come,  
 21771 greeting :

21772 Whereas a treaty was made and concluded at the Falls of  
 21773 Wolf River, in the State of Wisconsin, on the twelfth day of  
 21774 May, one thousand eight hundred and fifty-four, between the  
 21775 United States of America, by Francis Huebschmann, superin-  
 21776 tendent of Indian affairs, duly authorized thereto, and the Me-  
 21777 nomonee tribe of Indians, by the chiefs, head-men, and warriors  
 21778 of said tribe, such articles being supplementary and amendatory  
 21779 to the treaty made between the United States and said  
 21780 tribe on the eighteenth day of October, one thousand eight  
 21781 hundred and forty-eight; which treaty is in the words follow-  
 21782 ing, to wit :

21783 Articles of agreement made and concluded at the Falls of  
 21784 Wolf River, in the State of Wisconsin, on the twelfth day  
 21785 of May, one thousand eight hundred and fifty-four, between  
 21786 the United States of America, by Francis Huebschmann,  
 21787 superintendent of Indian affairs, duly authorized thereto,  
 21788 and the Menomonee tribe of Indians, by the chiefs, head-  
 21789 men, and warriors of said tribe, such articles being sup-  
 21790 plementary and amendatory to the treaty made between the  
 21791 United States and said tribe on the eighteenth day of Octo-  
 21792 ber, one thousand eight hundred and forty-eight.

21793 Whereas, among other provisions contained in the treaty in

21794 the caption mentioned, it is stipulated that for and in considera-  
 21795 tion of all the lands owned by the Menomonees, in the State of  
 21796 Wisconsin, wherever situated, the United States should give  
 21797 them all that country or tract of land ceded by the Chippewa  
 21798 Indians of the Mississippi and Lake Superior, in the treaty of  
 21799 the second of August, eighteen hundred and forty-seven, and  
 21800 by the Pillager band of Chippewa Indians in the treaty of the  
 21801 twenty-first of August, eighteen hundred and forty-seven, which  
 21802 had not been assigned to the Winnebagoes, guarantied not to  
 21803 contain less than six hundred thousand acres; should pay them  
 21804 forty thousand dollars for removing and subsisting themselves;  
 21805 should give them fifteen thousand dollars for the establishment  
 21806 of a manual-labor school, the erection of a grist and saw mill,  
 21807 and for other necessary improvements in their new country;  
 21808 should cause to be laid out and expended in the hire of a miller,  
 21809 for the period of fifteen years, nine thousand dollars; and for  
 21810 continuing and keeping up a blacksmith shop and providing iron  
 21811 and steel for twelve years, commencing on the first of January,  
 21812 eighteen hundred and fifty-seven, eleven thousand dollars.

21813 And whereas, upon manifestation of great unwillingness on  
 21814 the part of said Indians to remove to the country west of the  
 21815 Mississippi River, upon Crow Wing, which had been assigned  
 21816 them, and a desire to remain in the State of Wisconsin, the  
 21817 President consented to their locating temporarily upon the Wolf  
 21818 and Oconto Rivers:

21819 Now, therefore, to render practicable the stipulated pay-  
 21820 ments herein recited, and to make exchange of the lands given  
 21821 west of the Mississippi for those desired by the tribe, and for  
 21822 the purpose of giving them the same for a permanent home,  
 21823 these articles are entered into.

21824 ARTICLE 1. The said Menomonee tribe agree to cede, and  
 21825 do hereby cede, sell, and relinquish to the United States all the  
 21826 lands assigned to them under the treaty of the eighteenth of  
 21827 October, eighteen hundred and forty-eight.

21828 ARTICLE 2. In consideration of the foregoing cession the  
 21829 United States agree to give, and do hereby give, to said Indians  
 21830 for a home, to be held as Indian lands are held, that tract of  
 21831 country lying upon the Wolf River, in the State of Wisconsin,  
 21832 commencing at the southeast corner of township 28 north, of  
 21833 range 16 east, of the fourth principal meridian, running west  
 21834 twenty-four miles, thence north eighteen miles, thence east  
 21835 twenty-four miles, thence south eighteen miles, to the place of  
 21836 beginning, the same being townships 28, 29, and 30, of ranges  
 21837 13, 14, 15, and 16, according to the public surveys.

21838 ARTICLE 3. The United States agree to pay, to be laid out  
 21839 and applied under the direction of the President at the said loca-

21840 tion, in the establishment of a manual-labor school, the erection  
 21841 of a grist and saw mill, and other necessary improvements, fifteen  
 21842 thousand dollars; in procuring a suitable person to attend and  
 21843 carry on the said grist and saw mill for a period of fifteen years,  
 21844 nine thousand dollars; in continuing and keeping up a black-  
 21845 smith shop and providing the usual quantity of iron and steel  
 21846 for the use of said tribe for a period of twelve years, commencing  
 21847 with the year eighteen hundred and fifty-seven, eleven thousand  
 21848 dollars; and the United States further agree to pay the said  
 21849 tribe, to be applied under the direction of the President, in such  
 21850 manner and at such times as he may deem advisable, for such  
 21851 purposes and uses as in his judgment will best promote the im-  
 21852 provement of the Menomonees, the forty thousand dollars stipu-  
 21853 lated to be applied to their removal and subsistence west of the  
 21854 Mississippi. It being understood that all other beneficial stipu-  
 21855 lations in said treaty of 1848 are to be fulfilled as therein pro-  
 21856 vided.

21857 ARTICLE 4. In consideration of the difference in extent  
 21858 between the lands hereby ceded to the United States and the  
 21859 lands given in exchange, and for and in consideration of the  
 21860 provisions hereinbefore recited, and of the relinquishment by  
 21861 said tribe of all claims set up by or for them, for the difference  
 21862 in quantity of lands supposed by them to have been ceded in the  
 21863 treaty of eighteenth of October, eighteen hundred and forty-eight,  
 21864 and what was actually ceded, the United States agree to pay said  
 21865 tribe the sum of two hundred and forty-two thousand six hun-  
 21866 dred and eighty-six dollars, in fifteen annual instalments, com-  
 21867 mencing with the year 1867, each instalment to be paid out and  
 21868 expended under the direction of the President of the United  
 21869 States, and for such objects, uses, and purposes as he shall  
 21870 judge necessary and proper for their wants, improvement, and  
 21871 civilization.

21872 ARTICLE 5. It is further agreed that all expense incurred  
 21873 in negotiating this treaty shall be paid by the United States.

21874 ARTICLE 6. This treaty to be binding on the contracting  
 21875 parties as soon as it is ratified by the President and Senate of  
 21876 the United States, and assented to by Osh-kosh and Ke-she-nah,  
 21877 chiefs of said tribe.

21878 Proclaimed August 2, 1854.

21879 FRANKLIN PIERCE, President of the United States of America,  
 21880 to all and singular to whom these presents shall come,  
 21881 greeting:

21882 Whereas a treaty was made and concluded at Keshena,  
 21883 State of Wisconsin, on the eleventh day of February, one thou-  
 21884 sand eight hundred and fifty-six, between Francis Huebschmann,

21885 commissioner on the part of the United States, and the Menomo-  
 21886 nee tribe of Indians, assembled in general council, which treaty  
 21887 is in the words and figures following, to wit:

21888       Whereas a treaty was entered into at Stockbridge, in the  
 21889 State of Wisconsin, on the fifth of the present month, between  
 21890 the United States of America on the one part, and the Stock-  
 21891 bridge and Munsee tribes of Indians on the other, stipulating  
 21892 that a new home shall be furnished to the said Stockbridge and  
 21893 Munsee Indians, near the south line of the Menomonee reserva-  
 21894 tion; and

21895       Whereas the United States desire to locate said Stockbridges  
 21896 and Munsees near the said line in the western part of the said  
 21897 reservation, on lands on which no permanent settlements have  
 21898 been made by the Menomonees; and

21899       Whereas there is no objection on the part of the Menomo-  
 21900 nees to the location of the Stockbridges and Munsees in their  
 21901 neighborhood: Therefore this agreement and convention has  
 21902 been entered into:

21903 Articles of agreement made and concluded at Keshena, State of  
 21904 Wisconsin, on the eleventh day of February, in the year of  
 21905 our Lord eighteen hundred and fifty-six, between Francis  
 21906 Huebschmann, commissioner on the part of the United  
 21907 States, and the Menomonee tribe of Indians, assembled in  
 21908 general council.

21909       ARTICLE 1. The Menomonee tribe of Indians cede to the  
 21910 United States a tract of land, not to exceed two townships in  
 21911 extent, to be selected in the western part of their present reser-  
 21912 vation, on its south line, and not containing any permanent  
 21913 settlements made by any of their number, for the purpose of  
 21914 locating thereon the Stockbridge and Munsee Indians, and such  
 21915 others of the New York Indians as the United States may desire  
 21916 to remove to the said location within two years from the ratifi-  
 21917 cation hereof.

21918       ARTICLE 2. The United States agree to pay for the said  
 21919 cession, in case the said New York Indians will be located on  
 21920 the said lands, at the rate of sixty cents per acre; and it is  
 21921 hereby stipulated that the monies so to be paid shall be expended  
 21922 in a like manner, to promote the improvement of the Menom-  
 21923 onees, as is stipulated by the third article of the treaty of  
 21924 May twelfth, eighteen hundred and fifty-four, for the expendi-  
 21925 ture of the forty thousand dollars which had been set aside for  
 21926 their removal and subsistence, west of the Mississippi, by the  
 21927 treaty of October eighteenth, eighteen hundred and forty-eight.

21928       ARTICLE 3. To promote the welfare and the improvement  
 21929 of the said Menomonees, and friendly relations between them  
 21930 and the citizens of the United States, it is further stipulated—

21931 1. That in case this agreement and the treaties made pre-  
 21932 viously with the Menomonees should prove insufficient, from  
 21933 causes which cannot now been [be] foreseen, to effect the said  
 21934 objects, the President of the United States may, by and with  
 21935 the advice and consent of the Senate, adopt such policy in the  
 21936 management of the affairs of the Menomonees as in his judgment  
 21937 may be most beneficial to them; or Congress may, hereafter,  
 21938 make such provision by law as experience shall prove to be  
 21939 necessary.

21940 2. That the Menomonees will suppress the use of ardent  
 21941 spirits among their people, and resist, by all prudent means, its  
 21942 introduction in their settlements.

21943 3. That the President of the United States, if deemed by  
 21944 him conducive to the welfare of the Menomonees, may cause  
 21945 their annuity monies to be paid to them in semi-annual or quar-  
 21946 terly instalments.

21947 4. That all roads and highways, laid out by authority of  
 21948 law, shall have right of way through the lands of the said  
 21949 Indians on the same terms as are provided by law for their lo-  
 21950 cation through lands of citizens of the United States.

21951 ARTICLE 4. This instrument shall be binding upon the con-  
 21952 tracting parties whenever the same shall be ratified by the Pres-  
 21953 ident and Senate of the United States.

21954 Proclaimed 24th April, 1856.

21955

## MIAMIS.

21956 *Articles of a treaty made and concluded at St. Mary's, in the State*  
 21957 *of Ohio, between Jonathan Jennings, Lewis Cass, and Benja-*  
 21958 *min Parke, commissioners of the United States, and the Miami*  
 21959 *Nation of Indians.*

21960 ARTICLE 1. The Miami Nation of Indians cede to the  
 21961 United States the following tract of country: Beginning at the  
 21962 Wabash River, where the present Indian boundary-line crosses  
 21963 the same, near the mouth of Raccoon Creek; thence up the  
 21964 Wabash River, to the reserve at its head, near Fort Wayne;  
 21965 thence to the reserve at Fort Wayne; thence, with the lines  
 21966 thereof, to the St. Mary's River; thence up the St. Mary's River  
 21967 to the reservation at the portage; thence, with the line of the  
 21968 cession made by the Wyandot Nation of Indians to the United  
 21969 States, at the foot of the Rapids of the Miami of Lake Erie, on  
 21970 the 29th day of September, in the year of our Lord one thou-  
 21971 sand eight hundred and seventeen, to the reservation at Lora-

21972 mie's store; thence, with the present Indian boundary-line, to  
 21973 Fort Recovery; and with the said line, following the courses  
 21974 thereof, to the place of beginning.

21975       ARTICLE 2. From the cession aforesaid the following reser-  
 21976 vations, for the use of the Miami Nation of Indians, shall be  
 21977 made: One reservation, extending along the Wabash River,  
 21978 from the mouth of Salamanie River, to the mouth of Eel River,  
 21979 and from those points, running due south, a distance equal to  
 21980 a direct line from the mouth of Salamanie River to the mouth  
 21981 of Eel River. One other reservation of two miles square, on the  
 21982 river Salamanie, at the mouth of Atchepongqwawe Creek. One  
 21983 other reservation of six miles square, on the Wabash River,  
 21984 below the forks thereof. One other reservation of ten miles  
 21985 square, opposite the mouth of the river A Bouette. One other  
 21986 reservation of ten miles square, at the village on Sugar Tree  
 21987 Creek. One other reservation of two miles square, at the mouth  
 21988 of a creek called Flat Rock, where the road to White River  
 21989 crosses the same.

21990       ARTICLE 3. The United States agree to grant, by patent,  
 21991 in fee-simple, to Jean Bapt. Richardville, principal chief of the  
 21992 Miami Nation of Indians, the following tracts of land:

21993       Three sections of land, beginning about twenty-five rods  
 21994 below his house, on the river St. Mary's, near Fort Wayne;  
 21995 thence, at right angles with the course of the river, one mile;  
 21996 and from this line and the said river, up the stream thereof, for  
 21997 quantity.

21998       Two sections upon the east side of the St. Mary's River,  
 21999 near Fort Wayne, running east one mile with the line of the  
 22000 military reservation; thence, from that line and from the river,  
 22001 for quantity.

22002       Two sections on the Twenty-seven-Mile Creek, where the  
 22003 road from St. Mary's to Fort Wayne crosses it, being one section  
 22004 on each side of said creek.

22005       Two sections on the left bank of the Wabash, commencing  
 22006 at the forks and running down the river.

22007       The United States also agree to grant to each of the fol-  
 22008 lowing persons, being Miami Indians by birth, and their heirs,  
 22009 the tracts of land herein described:

22010       To Joseph Richardville and Joseph Richardville, jun., two  
 22011 sections of land, being one on each side of the St. Mary's River,  
 22012 and below the reservation made on that river by the treaty of  
 22013 Greenville in 1795.

22014       To Wemetche, or the Crescent, one section, below and ad-  
 22015 joining the reservation of Anthony Chesne, on the west side of  
 22016 the St. Mary's River, and one section immediately opposite to  
 22017 Macultamunqua, or Black Loon.

- 22018 To Keenquatakqua, or Long Hair; Aronzon, or Twilight;  
 22019 Peconbequa, or a Woman Striking; Aughquamauda, or Diffi-  
 22020 culty, and to Miaghqua, or Noon, as joint tenants, five sections  
 22021 of land upon the Wabash River, the centre of which shall be the  
 22022 Wyandot village, below the mouth of Tippecanoe River.  
 22023 To François Godfroy, six sections of land, on the Salamanie  
 22024 River, at a place called La Petite Prairie.  
 22025 To Louis Godfroy, six sections of land, upon the St. Mary's  
 22026 River, above the reservation of Anthony Shane.  
 22027 To Charley, a Miami chief, one section of land, on the west  
 22028 side of the St. Mary's River, below the section granted to Pe-  
 22029 metche, or the Crescent.  
 22030 To the two eldest children of Peter Langlois, two sections  
 22031 of land, at a place formerly called Village du Puant, at the  
 22032 mouth of the river called Pauceaupichoux.  
 22033 To the children of Antoine Bondie, two sections of land, on  
 22034 the border of the Wabash River, opposite a place called l'Esle a  
 22035 l'Aille.  
 22036 To François Lafontaine and his son, two sections of land,  
 22037 adjoining and above the two sections granted to Jean Bapt.  
 22038 Richardville, near Fort Wayne, and on the same side of the St.  
 22039 Mary's River.  
 22040 To the children of Antoine Rivarre, two sections of land,  
 22041 at the mouth of the Twenty-seven-Mile Creek, and below the  
 22042 same.  
 22043 To Peter Langlois' youngest child, one section of land, oppo-  
 22044 site the Chipaille, at the Shawnese village.  
 22045 To Peter Labadie, one section of land, on the river St. Mary's,  
 22046 below the section granted to Charley.  
 22047 To the son of George Hunt, one section of land, on the west  
 22048 side of the St. Mary's River, adjoining the two sections granted  
 22049 to François Lafontaine and his son.  
 22050 To Meshenoqua or the Little Turtle, one section of land, on  
 22051 the south side of the Wabash, where the portage path strikes  
 22052 the same.  
 22053 To Josette Beaubien, one section of land on the left bank of  
 22054 the St. Mary's, above and adjoining the three sections granted  
 22055 to Jean Bapt. Richardville.  
 22056 To Ann Turner, a half-blooded Miami, one section of land on  
 22057 the northwest side of the Wabash River, to commence at the  
 22058 mouth of Fork Creek, on the west bank of the said creek, and  
 22059 running up said creek one mile in a direct line, thence at right  
 22060 angles with this line for quantity.  
 22061 To Rebecca Hackley, a half-blooded Miami, one section of  
 22062 land, to be located at Munsey Town, on White River, so that it  
 22063 shall extend on both sides to include three hundred and twenty

22064 acres of the prairie, in the bend of the river, where the bend  
22065 assumes the shape of a horseshoe.

22066 To William Wayne Wells, a half-blooded Miami, one section  
22067 of land at the mouth of the Fork Creek, where the reservation  
22068 for Ann Turner commences, running down the Wabash River on  
22069 the northwest bank one mile; thence back one mile, thence east  
22070 one mile, to the boundary line of the grant to Ann Turner.

22071 To Mary Wells, a half-blooded Miami, one section of land,  
22072 at the mouth of Stoney Creek, on the southeast side of the Wa-  
22073 bash River, the centre of which shall be at the mouth of said  
22074 creek, running with the meanders thereof, up and down the Wa-  
22075 bash River, one half mile, and thence back for quantity.

22076 To Jane Turner Wells, a half-blooded Miami, one section of  
22077 land, on the northwest side of the Wabash River, to commence  
22078 on the west bank of said river, opposite the old lime kiln; thence  
22079 down the said river one mile and back for quantity.

22080 ARTICLE 4. The Miami Nation of Indians assent to the ces-  
22081 sion made by the Kickapoos to the United States, by the treaty  
22082 concluded at Vincennes, on the ninth day of December, one  
22083 thousand eight hundred and nine.

22084 ARTICLE 5. In consideration of the cession and recognition  
22085 aforesaid, the United States agree to pay to the Miami Nation of  
22086 Indians a perpetual annuity of fifteen thousand dollars, which,  
22087 together with all annuities which, by any former treaty, the  
22088 United States have engaged to pay to the said Miami Nation of  
22089 Indians, shall be paid in silver.

22090 The United States will cause to be built for the Miamis one  
22091 grist-mill and one saw-mill, at such proper sites as the chiefs of  
22092 the nation may select, and will provide and support one black-  
22093 smith and one gunsmith for them, and provide them with such  
22094 implements of agriculture as the proper agent may think neces-  
22095 sary.

22096 The United States will also cause to be delivered, annually  
22097 to the Miami Nation one hundred and sixty bushels of salt.

22098 ARTICLE 6. The several tracts of land which, by the third  
22099 article of this treaty, the United States have engaged to grant  
22100 to the persons therein mentioned, except the tracts to be granted  
22101 to Jean Bapt. Richardville, shall never be transferred by the said  
22102 persons or their heirs, without the approbation of the President  
22103 of the United States.

22104 ARTICLE 7. This treaty shall be obligatory on the contract-  
22105 ing parties after the same shall be ratified by the President of  
22106 the United States, by and with the advice and consent of the  
22107 Senate thereof.

22108 Proclaimed January 15, 1819.

22109 *Articles of a treaty made and concluded, near the mouth of the*  
 22110 *Mississinewa, upon the Wabash, in the State of Indiana, this*  
 22111 *twenty-third day of October, in the year of our Lord one thou-*  
 22112 *sand eight hundred and twenty-six, between Lewis Cass, James*  
 22113 *B. Ray, and John Tipton, commissioners on the part of the*  
 22114 *United States, and the chiefs and warriors of the Miami tribe*  
 22115 *of Indians.*

22116 ARTICLE 1. The Miami tribe of Indians cede to the United  
 22117 States all their claim to land in the State of Indiana, north and  
 22118 west of the Wabash and Miami Rivers, and of the cession made  
 22119 by the said tribe to the United States by the treaty concluded  
 22120 at St. Mary's, October 6, 1818. (proclaimed January 15, 1819.)

22121 ARTICLE 2. From the cession aforesaid the following reser-  
 22122 vations, for the use of the said tribe, shall be made :

22123 Fourteen sections of land at Seek's Village.

22124 Five sections for the Beaver, below and adjoining the pre-  
 22125 ceding reservation.

22126 Thirty-six sections at Flat Belly's Village.

22127 Five sections for Little Charley, above the old village, on the  
 22128 north side of Eel River.

22129 One section for Laventure's daughter, opposite the islands,  
 22130 about fifteen miles below Fort Wayne.

22131 One section for Chapine, above and adjoining Seek's Village.

22132 Ten sections at the White Raccoon's Village.

22133 Ten sections at the mouth of Mud Creek, on Eel River, at  
 22134 the old village.

22135 Ten sections at the forks of the Wabash.

22136 One reservation commencing two miles and a half below the  
 22137 mouth of the Mississinewa, and running up the Wabash five  
 22138 miles, with the bank thereof, and from these points running due  
 22139 north to Eel River.

22140 And it is agreed that the State of Indiana may lay out a  
 22141 canal or a road through any of these reservations; and for the  
 22142 use of a canal, six chains along the same are hereby appropri-  
 22143 ated.

22144 ARTICLE 3. There shall be granted to each of the persons  
 22145 named in the schedule hereunto annexed, and to their heirs, the  
 22146 tracts of land therein designated; but the land so granted shall  
 22147 never be conveyed without the consent of the President of the  
 22148 United States.

22149 ARTICLE 4. The commissioners of the United States have  
 22150 caused to be delivered to the Miami tribe goods to the value of  
 22151 \$31,040.53, in part consideration for the cession herein made;  
 22152 and it is agreed that if this treaty shall be ratified by the Pres-  
 22153 ident and Senate of the United States, the United States shall

22154 pay to the persons named in the schedule this day signed by  
 22155 the commissioners, and transmitted to the War Department, the  
 22156 sums affixed to their names respectively, for goods furnished by  
 22157 them, and amounting to the sum of \$31,040.53. And it is further  
 22158 agreed that payment for these goods shall be made by the  
 22159 Miami tribe out of their annuity, if this treaty be not ratified  
 22160 by the United States.

22161 And the United States further engage to deliver to the said  
 22162 tribe, in the course of the next summer, the additional sum of  
 22163 \$26,259.47.

22164 And it is also agreed that an annuity of thirty-five thousand  
 22165 dollars, ten thousand of which shall be in goods, shall be paid  
 22166 to the said tribe in the year one thousand eight hundred and  
 22167 twenty-seven, and thirty thousand dollars, five thousand of  
 22168 which shall be in goods, in the year one thousand eight hundred  
 22169 and twenty-eight; after which time a permanent annuity of  
 22170 twenty-five thousand dollars shall be paid to them, as long as  
 22171 they exist together as a tribe; which several sums are to include  
 22172 the annuities due by preceding treaties to the said tribe.

22173 And the United States further engage to furnish a wagon  
 22174 and one yoke of oxen for each of the following persons, namely,  
 22175 Joseph Richardville, Black Raccoon, Flat Belly, White Raccoon,  
 22176 Francois Godfroy, Little Beaver, Mettosanea, Seek, and Little  
 22177 Huron; and one wagon and a yoke of oxen for the band living  
 22178 at the forks of the Wabash.

22179 And also to cause to be built a house, not exceeding the value  
 22180 of six hundred dollars for each of the following persons, namely,  
 22181 Joseph Richardville, Francois Godfroy, Louison Godfrey, Francis  
 22182 Lafontaine, White Raccoon, La Gros, Jean B. Richardville, Flat  
 22183 Belly, and Wau-we-as-see.

22184 And also to furnish the said tribe with two hundred head of  
 22185 cattle, from four to six years old, and two hundred head of hogs;  
 22186 and to cause to be annually delivered to them two thousand  
 22187 pounds of iron, one thousand pounds of steel, and one thousand  
 22188 pounds of tobacco.

22189 And to provide five labourers to work three months in the  
 22190 year for the small villages, and three labourers to work three  
 22191 months in the year for the Mississinewa band.

22192 ARTICLE 5. The Miami tribe being anxious to pay certain  
 22193 claims existing against them, it is agreed, as a part of the con-  
 22194 sideration for the cession in the first article, that these claims,  
 22195 amounting to \$7,727.47, and which are stated in a schedule this  
 22196 day signed by the commissioners, and transmitted to the War  
 22197 Department, shall be paid by the United States.

22198 ARTICLE 6. The United States agree to appropriate the  
 22199 sum of two thousand dollars annually, as long as Congress may

22200 think proper, for the support of poor infirm persons of the  
 22201 Miami tribe, and for the education of the youth of the said  
 22202 tribe; which sum shall be expended under the direction of the  
 22203 President of the United States.

22204 ARTICLE 7. It is agreed that the United States shall pur-  
 22205 chase of the persons named in the schedule hereunto annexed  
 22206 the land therein mentioned, which was granted to them by the  
 22207 treaty of St. Mary's, and shall pay the price affixed to their  
 22208 names respectively; the payments to be made when the title to  
 22209 the lands is conveyed to the United States.

22210 ARTICLE 8. The Miami tribe shall enjoy the right of hunt-  
 22211 ing upon the land herein conveyed, so long as the same shall be  
 22212 the property of the United States.

22213 ARTICLE 9. This treaty, after the same shall be ratified by  
 22214 the President and Senate, shall be binding upon the United  
 22215 States.

22216 Proclaimed January 24, 1827.

22217 *Schedule of grants referred to in the foregoing treaty, article 3d.*

22218 To John B. Richardville, one section of land, between the  
 22219 mouth of Pipe Creek and the mouth of Eel River, on the north  
 22220 side of the Wabash, and one section on the northwest side of  
 22221 the St. Joseph, adjoining the old boundary line; also, one half  
 22222 section on the east side of the St. Joseph's, below Cha-po-tee's  
 22223 village.

22224 To John B. Boure, one section on the north side of the St  
 22225 Joseph, including Chop-patees village.

22226 To the wife and children of Charley, a Miami chief, one  
 22227 section where they live.

22228 To Ann Hackley and Jack Hackley, one section each, be-  
 22229 tween the Maumee and the St. Joseph's Rivers.

22230 To the children of Maria Christiana De Rome, a half-blood  
 22231 Miami, one section between the Maumee and the St. Joseph's.

22232 To Ann Turner, alias Hackley, Rebecca Hackley, and Jane  
 22233 S. Wells, each one half section of land, to be located under the  
 22234 direction of the President of the United States.

22235 To John B. Richardville, one section of land upon the north  
 22236 side of the Wabash, to include a large spring nearly opposite  
 22237 the mouth of Pipe Creek.

22238 To Francois Godfroy, one section above and adjoining said  
 22239 last grant to J. B. Richardville.

22240 To Louison Godfroy, one section above and adjoining the  
 22241 grant to Francois Godfroy.

22242 To Francis Lafontaine, one section above and adjoining the  
 22243 grant to Louison Godfroy.

22244 To John B. Richardville, junior, one section on the Wabash,  
22245 below and adjoining the reservation running from the Wabash  
22246 to Eel River.

22247 To Joseph Richardville, one section above and adjoining the  
22248 reservation running from the Wabash to Eel River.

22249 To La Gros, three sections, where he now lives, and one  
22250 section adjoining the Cranberry in the Portage Prairie.

22251 A quarter-section of land to each of the following persons,  
22252 namely: Charles Gouin, Purri Gouin, and Therese Gouin, to be  
22253 located under the direction of the President of the United States.

22254 Two sections of land at the old town on Eel River, to be re-  
22255 served for the use of the Metchinequa.

22256 This treaty to be binding, when ratified by the Presi-  
22257 dent.

22258 Proclaimed December 22, 1837.

22259 *Articles of a treaty between the United States and the Miami tribe*  
22260 *of Indians, concluded at the Forks of the Wabash, in the State*  
22261 *of Indiana, on the 23d day of October, 1834, by and between*  
22262 *William Marshall, commissioner of the United States, and the*  
22263 *chiefs and warriors of said tribe.*

22264 ARTICLE 1. The Miami tribe of Indians agree to cede to the  
22265 United States the following-described tracts of land within the  
22266 State of Indiana, being a part of reservations made to said tribe  
22267 from former cessions, now conveyed for and in consideration of  
22268 the payments stipulated to be made to them in the 2d article of  
22269 this treaty of cession:

22270 One tract of land, thirty-six sections, at Flat Belly's Vil-  
22271 lage, a reserve made by the treaty of Wabash of 1826, (pro-  
22272 claimed January 24, 1827.)

22273 Also, one tract of land, about twenty-three thousand acres,  
22274 more or less, a reserve made at Wabash treaty in 1826, of five  
22275 miles in length on the Wabash River, extending back to Eel  
22276 River.

22277 Also, one other tract of ten sections at Racoon Village, and  
22278 a tract of ten sections at Mud Creek, on Eel River, reserves  
22279 made at Wabash treaty of 1826.

22280 Also, one reserve of two miles square on the Salamanay  
22281 River, at the mouth of At-che-pong-qua Creek, reserve made at  
22282 the treaty of St. Mary's of 1818, (proclaimed January 15, 1819.)

22283 Also, one other tract, being a portion of the ten-mile square  
22284 reserve made at the treaty of St. Mary's of 1818, opposite the  
22285 mouth of the river Aboutte, commencing at the northeast corner  
22286 of said reserve, thence south, with the eastern boundary of the

22287 same, ten miles, to the southeast corner of the reserve, thence  
 22288 west, with the southern boundary, one mile, thence north nine  
 22289 miles, thence west nine miles, thence north one mile, to the  
 22290 northwest corner of said reserve, thence to the place of begin-  
 22291 ning.

22292 The Miamies also agree to cede a portion of their big reserve,  
 22293 made at the treaty of St. Mary's of 1818, situated southeast of  
 22294 the Wabash, extending along the Wabash River from the mouth  
 22295 of Salamany River to the mouth of Eel River. The part now  
 22296 ceded shall be embraced within the following bounds, to wit:  
 22297 Commencing on the Wabash River, opposite the mouth of Eel  
 22298 River, running up said Wabash River eight miles, thence south  
 22299 two miles, thence westwardly one mile, thence south to the south-  
 22300 ern boundary of said reserve, thence along said boundary-line  
 22301 seven miles to the southwest corner, thence northerly with the  
 22302 western boundary-line to the place of beginning.

22303 ARTICLE 2. For and in consideration of the cession made  
 22304 in the first article of this treaty, the United States agree to pay  
 22305 the Miami tribe of Indians the sum of two hundred and eight  
 22306 thousand dollars; of this sum fifty-eight thousand dollars to be  
 22307 paid within six months from the ratification of this treaty, fifty  
 22308 thousand dollars to be applied to the payment of the debts of  
 22309 the tribe, and the remaining sum of one hundred thousand dol-  
 22310 lars in annual instalments of ten thousand dollars per year.

22311 ARTICLE 3. From the cession made in the first article of  
 22312 this treaty, there shall be granted to each of the persons named  
 22313 in the schedule hereunto annexed, and to their heirs and assigns,  
 22314 by patent from the President of the United States, the lands  
 22315 therein named.

22316 ARTICLE 4. It is agreed, between the parties to this treaty,  
 22317 that a patent in fee-simple shall be issued by the President of  
 22318 the United States to John B. Richardville, principal chief of the  
 22319 Miami tribe, for a reserve of ten sections at the Forks of the  
 22320 Wabash, made to said tribe by treaty of twenty-third October,  
 22321 1826, he having an Indian title to the same, a copy of which,  
 22322 marked A, accompanies this treaty.

22323 ARTICLE 5. The United States agree to furnish a skilful  
 22324 miller to superintend a mill for the Miamies, in lieu of the gun  
 22325 smith promised by the 5th article of the treaty of St. Mary's of  
 22326 1818.

22327 ARTICLE 6. The United States agree to have the buildings  
 22328 and improvements on the lands ceded by the first article of this  
 22329 treaty valued; to cause a similar amount in value laid out in  
 22330 building, clearing, and fencing ground, for the use of the Indians,  
 22331 on such place or places as their chiefs may select, and that the  
 22332 Indians have peaceable possession of their houses and improve-

22333 ments on the lands ceded in the first article of this treaty until  
22334 the improvements are made as provided for in this article.

22335 ARTICLE 7. The United States agree to pay the Miami  
22336 Indians fifteen hundred dollars for horses heretofore stolen from  
22337 them by the whites.

22338 ARTICLE 8. The United States agree to cause patents in fee-  
22339 simple to issue to the following-named persons for the several  
22340 tracts of land attached to their names, granted to them by for-  
22341 mer treaties, to wit:

22342 To Little Charley, for five sections of land, above the old  
22343 village, on the north side of Eel River, granted to him by treaty  
22344 of Wabash of 1826, (proclaimed January 24, 1827.)

22345 To Laronture's daughter, for one section of land on the  
22346 Maumee River, granted to her by treaty of Wabash of 1826,  
22347 (proclaimed January 24, 1827.)

22348 To To-pee-ah, son of Francis Lafontain, for one section,  
22349 granted him by treaty of St. Mary's of 1818, (proclaimed Jan-  
22350 uary 15, 1819.)

22351 To Met-chin-e-quea, for two sections of land granted him by  
22352 treaty of Wabash of 1826, at the old town on Eel River.

22353 To Francis Godfroy, for four sections of land on the Salam-  
22354 any River, granted him at treaty of St. Mary's of 1818, being  
22355 the residue of what he now holds of said grant.

22356 ARTICLE 9. There shall be granted to Hugh Hanna one  
22357 quarter section of land, in lieu of one selected and not approved  
22358 on the grant made to Guire at treaty of Wabash of 1826, (Hanna  
22359 having purchased of Guire,) the selection to be made under the  
22360 direction of the President of the United States.

22361 *Schedule of grants referred to in the third article*

22362 To Francis Godfroy, one section of land at the lower line of  
22363 the five-mile reserve on the Wabash River, to be located adjoin-  
22364 ing the town of Peru; one half section to be located on said  
22365 Wabash River opposite his trading-house, and one half section  
22366 to be located on that part of the big reserve southwest side the  
22367 Wabash, above and adjoining the two sections granted to John B.  
22368 Richardville, and one half section back and adjoining the one grant-  
22369 ed to said John B. Richardville, opposite the mouth of Eel River.

22370 To To-pe-ah, one section of land, commencing one mile from  
22371 the northeast corner of the ten-mile reserve, opposite the mouth  
22372 of Aboit River, (granted by treaty of St. Mary's of 1818,) thence  
22373 south one mile, thence west one mile, thence north one mile,  
22374 thence east to the place of beginning.

22375 To Wa-pa-se-pah, son of Lafontain, one section of land west  
22376 and adjoining the one to To-pee-ah.

22377 To Ne-ah-long-quaw, two sections of land west and adjoin-  
 22378 ing the one to Wa-pa-se-pah.

22379 To A-saw-soin-ma-quah, or Susan, one section of land west  
 22380 and adjoining the two to Ne-ah-long-quaw.

22381 To Poqua, son of Francis Godfroy, one half section west and  
 22382 adjoining the one to Susan.

22383 To Francis Godfroy, one half section of land west and ad-  
 22384 joining the one to Poqua.

22385 To Paul Longlois, one section of land on the Wabash River,  
 22386 to include his field.

22387 To Chappene, one section of land, to include Racoon vil-  
 22388 lage, commencing two poles west of the grave-yard northwest  
 22389 of the village; thence on an easterly direction to river About;  
 22390 thence with said river until it strikes the reserve line; thence  
 22391 with said line for quantity to include within the bounds one sec-  
 22392 tion of land; also one other section of land, west and adjoining  
 22393 the half section granted to Francis Godfroy, on the ten-mile  
 22394 reserve.

22395 To John B. Richardville, principal chief of the Miami tribe,  
 22396 one section of land on the five-mile reserve, opposite the mouth  
 22397 of the Mississineway River, to include the improvement made  
 22398 by Joseph Richardville, deceased; also one quarter section of  
 22399 land on the Wabash River, at the upper part of the five-mile  
 22400 reserve; also two sections of land on the big reserve, commenc-  
 22401 ing on the Wabash River, opposite the mouth of Eel River, run-  
 22402 ning up said river two miles, thence back for quantity so as to  
 22403 include within the bounds two sections of land.

22404 To Mac-keh-teh-maug-guaw, or Black Loon, one section of  
 22405 land, to be located on the Wabash River, at the upper line of  
 22406 that part of the big reserve ceded by the first article of this  
 22407 treaty.

22408 To Chin-gua-qua, or Duck, one section of land, to be located  
 22409 on said Wabash River, below and adjoining the one granted to  
 22410 Black Loon.

22411 To O-san-dear, one section of land back and adjoining the  
 22412 one granted to Black Loon.

22413 To Wa-pa-pe-she, one section of land back and adjoining the  
 22414 one granted to Duck.

22415 To Peter Longlois, one half section of land, to be located at  
 22416 a point on Wildeat, where the old trace from Mississineway to  
 22417 Thorntown crosses the same.

22418 To the sons of Dupee, one half section of land, to be located  
 22419 on the reserve at Racoon Village, to be located under the direc-  
 22420 tion of the President of the United States.

22421 To Peter Guier, one half section of land, to be located back  
 22422 of the one granted to Wa-pa-pe-she.

22423 To Wa-pee-mung-quah, one section of land on the ten-mile  
22424 reserve, adjoining the one to Chappene.

22425 To Ca-ta-ke-mon-gua, daughter of Godfroy and Angelique,  
22426 one section of land, to be located adjoining the one to Wau-pee-  
22427 mung-quah.

22428 To Rebecca Hackley, one quarter section of land, to be lo-  
22429 cated under the direction of the President of the United States.

22430 And whereas the assent of the chiefs and warriors of the  
22431 said tribe of Indians, required by the aforesaid resolution of the  
22432 Senate, has been given to the said amendment, which assent is  
22433 as follows, viz :

22434 We, the chiefs and warriors of the Miami Nation of Indians,  
22435 residing in the State of Indiana, having assembled in general  
22436 council, and having seen and duly examined each and all of the  
22437 amendments made by the Senate in the treaty negotiated be-  
22438 tween said nation and Gen. William Marshall, commissioner  
22439 on the part of the United States, on the 23d of October, 1834,  
22440 and the same having been fully and clearly explained to us, do  
22441 hereby give our assent to each and all of them, in compliance  
22442 with the requisition of the resolution of the Senate of the twelfth  
22443 of October, 1837, advising and consenting to the ratification of  
22444 said treaty.

22445 Proclaimed December 22, 1837.

22446 *Articles of a treaty made and concluded at the Forks of the*  
22447 *Wabash, in the State of Indiana, between the United States of*  
22448 *America, by her commissioner, Abel C. Pepper, and the Miami*  
22449 *tribe of Indians, on the sixth day of November, in the year of*  
22450 *our Lord eighteen hundred and thirty-eight.*

22451 ARTICLE 1. The Miami tribe of Indians hereby cede to the  
22452 United States all that tract of land lying south of the Wabash  
22453 River and included within the following bounds, to wit: Com-  
22454 mencing at a point on said river where the western boundary-  
22455 line of the Miami reserve intersects the same, near the mouth of  
22456 Pipe Creek; thence south two miles; thence west one mile;  
22457 thence south along said boundary-line, three miles; thence east  
22458 to the Mississinnewa River; thence up the said river with the  
22459 meanders thereof to the eastern boundary-line of the said Miami  
22460 reserve; thence north along said eastern boundary-line to the  
22461 Wabash River; thence down the said last-named river, with  
22462 the meanders thereof, to the place of beginning.

22463 The said Miami tribe of Indians do also hereby cede to the  
22464 United States the three following reservations of land made for  
22465 the use of the Miami Nation of Indians by the 2d article of a

22466 treaty made and concluded at St. Mary's, in the State of Ohio,  
22467 on the 6th of October, 1818, to wit, (proclaimed January 15, 1819:)

22468 The reservation on the Wabash River, below the forks  
22469 thereof;

22470 The residue of the reservation opposite the mouth of the  
22471 river Abouette;

22472 The reservation at the mouth of a creek called Flat Rock,  
22473 where the road to White River crosses the same.

22474 Also one other reservation of land made for the use of said  
22475 tribe at Seeks Village, on Eel River, by the 2d article of a treaty  
22476 made and concluded on the 23d October, 1826, (proclaimed  
22477 January 24, 1827.)

22478 ARTICLE 2. From the cession aforesaid, the Miami tribe  
22479 reserve for the band of Me-to-sin-ia, the following tract of land,  
22480 to wit: Beginning on the eastern boundary-line of the big re-  
22481 serve, where the Mississinnewa River crosses the same; thence  
22482 down said river with the meanders thereof to the mouth of the  
22483 creek called Forked Branch; thence north two miles; thence in  
22484 a direct line to a point on the eastern boundary-line two miles  
22485 north of the place of beginning; thence south to the place of  
22486 beginning, supposed to contain ten square miles.

22487 ARTICLE 3. In consideration of the cession aforesaid, the  
22488 United States agree to pay the Miami tribe of Indians three  
22489 hundred and thirty-five thousand six hundred and eighty  
22490 dollars; sixty thousand dollars of which to be paid immediately  
22491 after the ratification of this treaty and the appropriation to  
22492 carry its provisions into effect; and the residue of said sum,  
22493 after the payment of claims hereinafter stipulated to be paid,  
22494 in ten yearly instalments of twelve thousand five hundred and  
22495 sixty-eight dollars per year.

22496 ARTICLE 4. It is further stipulated that the sum of six  
22497 thousand eight hundred dollars be paid John B. Richardville;  
22498 and the sum of two thousand six hundred and twelve dollars be  
22499 paid Francis Godfroy; which said sums are their respective  
22500 claims against said tribe prior to October 23, 1834, excluded  
22501 from investigation by the late commissioner of the United  
22502 States, by reason of their being Indians of said tribe.

22503 ARTICLE 5. The said Miami tribe of Indians being anxious  
22504 to pay all their just debts, at their request it is stipulated that  
22505 immediately after the ratification of this treaty the United States  
22506 shall appoint a commissioner or commissioners, who shall be  
22507 authorized to investigate all claims against said tribe which  
22508 have accrued since the 23d day of October, 1834, without regard  
22509 to distinction of blood in the claimants, and to pay such debts  
22510 as, having accrued since the said period, shall be proved to his  
22511 or their satisfaction to be legal and just.

22512 ARTICLE 6. It is further stipulated that the sum of one  
 22513 hundred and fifty thousand dollars, out of the amount agreed  
 22514 to be paid said tribe in the third article of this treaty, shall be  
 22515 set apart for the payment of the claims under the provisions of  
 22516 the fourth and fifth articles of this treaty, as well as for the pay-  
 22517 ment of any balance ascertained to be due from said tribe by  
 22518 the investigation under the provisions of the treaty of 1834;  
 22519 and should there be an unexpended balance in the hands of  
 22520 said commissioner or commissioners after the payment of said  
 22521 claims, the same shall be paid over to the said tribe at the pay-  
 22522 ment of their next subsequent annuity; but should the said sum  
 22523 so set apart for the purpose aforesaid be found insufficient to  
 22524 pay the same, then the ascertained balance due on said claims  
 22525 shall be paid in three equal instalments from the annuities of  
 22526 said tribe.

22527 And the said Miami tribe of Indians through this publicin-  
 22528 strument proclaim to all concerned that no debt or debts that  
 22529 any Indian or Indians of said tribe may contract with any per-  
 22530 son or persons shall operate as a lien on the annuity or annuities,  
 22531 nor on the land of the said tribe for legal enforcement. Nor  
 22532 shall any person or persons other than the members of said Mi-  
 22533 ami tribe, who may by sufferance live on the land of, or inter-  
 22534 marry in, said tribe, have any right to the land or any interest  
 22535 in the annuities of said tribe, until such person or persons shall  
 22536 have been by general council adopted into their tribe.

22537 ARTICLE 7. It is further stipulated that the United States  
 22538 will cause the buildings and improvements on the land hereby  
 22539 ceded to be appraised, and have buildings and improvements of  
 22540 a corresponding value made at such places as the chiefs of said  
 22541 tribe may designate; and the Indians of said tribe are to re-  
 22542 main in the peaceable occupation of their present improvements  
 22543 until the United States shall make the said corresponding im-  
 22544 provements.

22545 ARTICLE 8. It is further stipulated that the United States  
 22546 patent to Beaver the five sections of land, and to Chapine the  
 22547 one section of land, reserved to them respectively in the second  
 22548 article of the treaty made anno Domini 1826, (proclaimed Jan-  
 22549 uary 24, 1827,) between the parties to the present treaty.

22550 ARTICLE 9. The United States agree to cause the boundary-  
 22551 lines of the land of said tribe in the State of Indiana to be sur-  
 22552 veyed and marked within the period of one year after the rati-  
 22553 fication of this treaty.

22554 ARTICLE 10. The United States stipulate to possess the  
 22555 Miami tribe of Indians of, and guaranty to them forever, a  
 22556 country west of the Mississippi River, to remove to and settle  
 22557 on, *when the said tribe may be disposed to emigrate from their pres-*

22558 *ent country*, and that guarrantly is hereby pledged. And the said  
 22559 country shall be sufficient in extent, and suited to their wants  
 22560 and condition, and be in a region contiguous to that in the oc-  
 22561 cupation of the tribes which emigrated from the States of Ohio  
 22562 and Indiana. And when the said tribe shall have emigrated,  
 22563 the United States shall protect the said tribe and the people  
 22564 thereof in their rights and possessions against the injuries, en-  
 22565 croachments, and oppressions of any person or persons, tribe,  
 22566 or tribes whatsoever.

22567 ARTICLE 11. It is further stipulated that the United States  
 22568 will defray the expenses of a deputation of six chiefs or head-  
 22569 men to explore the country to be assigned to said tribe west of  
 22570 the Mississippi River. Said deputation to be selected by said  
 22571 tribe in general council.

22572 ARTICLE 12. The United States agree to grant by patent  
 22573 to each of the Miami Indians named in the schedule hereunto  
 22574 annexed the tracts of land therein respectively designated.

22575 And the said tribe in general council request that the patents  
 22576 for the grants in said schedule contained, shall be transmitted  
 22577 to the principal chief of said tribe, to be by him distributed to  
 22578 the respective grantees.

22579 ARTICLE 13. It is further stipulated that should this treaty  
 22580 not be ratified at the next session of the Congress of the United  
 22581 States, then it shall be null and void to all intents and purposes  
 22582 between the parties.

22583 ARTICLE 14. And whereas John B. Richardville, the prin-  
 22584 cipal chief of said tribe, is very old and infirm, and not well  
 22585 able to endure the fatigue of a long journey, it is agreed that  
 22586 the United States will pay to him and his family the proportion  
 22587 of the annuity of said tribe which their number shall indicate  
 22588 to be due to them, at Fort Wayne, whenever the said tribe shall  
 22589 emigrate to the country to be assigned them west as a future  
 22590 residence.

22591 ARTICLE 15. It is further stipulated that as long as the  
 22592 Congress of the United States shall in its discretion make an  
 22593 appropriation under the sixth article of the treaty made be-  
 22594 tween the United States and said tribe in the year 1826, for the  
 22595 support of the infirm and the education of the youth of said  
 22596 tribe, one-half of the amount so appropriated shall be paid to  
 22597 the chiefs, to be by them applied to the support of the poor and  
 22598 infirm of said tribe in such manner as shall be most beneficial.

22599 ARTICLE 16. This treaty, after the same shall be ratified by  
 22600 the President and Senate of the United States, shall be binding  
 22601 on the contracting parties.

22602 Proclaimed February 8, 1839.

22603 *Schedule of grants referred to in the foregoing treaty, article twelve.*

22604 To John B. Richardville, principal chief,

22605 Two sections of land, to include and command the principal  
22606 falls of Pipe Creek.

22607 Three sections of land, commencing at the mouth of the  
22608 Salamania River, thence running three miles down the Wabash  
22609 River, and one mile up the Salamania River.

22610 Two sections of land, commencing at the mouth of the Mis-  
22611 sissinnewa River, thence down the Wabash River two miles,  
22612 and up the Mississinnewa River one mile.

22613 One and one-half section of land on the Wabash River at  
22614 the mouth of Flat Rock, (creek,) to include his mills and the  
22615 privileges thereof.

22616 One section of land on the Wabash River opposite the town  
22617 of Wabash :

22618 All of which said tracts of land are to be surveyed as  
22619 directed by the said grantee.

22620 To Francis Godfroy, a chief, one section of land opposite  
22621 the town of Peru and on the Wabash River.

22622 One section of land on Little Pipe Creek, to include his  
22623 mill and the privileges thereof.

22624 Four sections of land where he now lives.

22625 All which said tracts of land are to be surveyed as directed  
22626 by the said grantee.

22627 To Po-qua Godfroy, one section of land to run one mile on  
22628 the Wabash River, and to include the improvements where he  
22629 now lives.

22630 To Catherine Godfroy, daughter of Francis Godfroy, and her  
22631 children, one section of land to run one mile on the Wabash  
22632 River, and to include the improvement where she now lives.

22633 To Kah-tah-mong-quah, son of Susan Richardville, one half  
22634 section of land on the Wabash River, below and adjoining the  
22635 three sections granted to John B. Richardville.

22636 To Mong-go-sah, son of La Blonde, one half section of land  
22637 on the Wabash River, below and adjoining the half section  
22638 granted to Kah-tah-mong-quah.

22639 To Peter Gouin, one section of land on the Sixth Mile Re-  
22640 serve, commencing where the northern line of said reserve inter-  
22641 sects the Wabash River; thence down said river one mile and  
22642 back for quantity.

22643 To Mais-shil-gouin-mi-zah, one section of land, to include the  
22644 "Deer Lick," *alias* La Saline, on the creek that enters the Wa-  
22645 bash River, nearly opposite the town of Wabash.

22646 To O-zah-shin-quah and the wife of Bronilette, daughters of  
22647 the "Deaf Man," as tenants in common, one section of land on

- 22648 the Mississinnewa River, to include the improvements where  
22649 they now live.
- 22650 To O-san-di-ah, one section of land where he now lives on  
22651 the Mississinnewa River, to include his improvements.
- 22652 To Wah-pi-pin-cha, one section of land on the Mississinnewa  
22653 River, directly opposite the section granted to O-san-di-ah.
- 22654 To Mais-zi-quah, one section of land on the Wabash River,  
22655 commencing at the lower part of the improvement of Old Sally ;  
22656 thence up said river one mile and back for quantity.
- 22657 To Tah-ko-nong, one section of land where he now lives on  
22658 the Mississinnewa River.
- 22659 To Cha-pine, one section of land where he now lives on the  
22660 Ten Mile Reserve.
- 22661 To White Loon, one section of land at the crossing of Long-  
22662 lois's Creek, on the Ten Mile Reserve, to run up said creek.
- 22663 To Francis Godfroy, one section of land, to be located where  
22664 he shall direct.
- 22665 To Neh-wah-ling-quah, one section of land where he now  
22666 lives on the Ten Mile Reserve.
- 22667 To La Fountain, one section of land south of the section he  
22668 now lives on and adjoining the same, on the Ten Mile Reserve.
- 22669 To Seek, one section of land south of the section of land  
22670 granted to Wa-pa-se-pah by the treaty of 1834, on the Ten Mile  
22671 Reserve.
- 22672 To Black Loon, one section of land on the Six Mile Reserve,  
22673 commencing at a line which will divide his field on the Wabash  
22674 River; thence up the river one mile and back for quantity.
- 22675 To Duck, one section of land on the Wabash River below  
22676 and adjoining the section granted to Black Loon, and one mile  
22677 down said river, and back for quantity.
- 22678 To Me-cha-ne-qua, a chief, *alias* Gros-mis, one section of  
22679 land where he now lives ;
- 22680 One section to include his field on the Salamania River ;
- 22681 One and one half section commencing at the Wabash River  
22682 where the road crosses the same from John B. Richardville, jr.'s ;  
22683 thence down the said river to the high bank on Mill Creek ;  
22684 thence back so as to include a part of the prairie, to be surveyed  
22685 as directed by said chief.
- 22686 To Tow-wah-keo-shee, wife of Old Pish-a-wa, one section of  
22687 land on the Wabash River below and adjoining the half section  
22688 granted to Mon-ro-sah.
- 22689 To Ko-was-see, a chief, one section of land, now Seeks re-  
22690 serve, to include his orchard and improvements.
- 22691 To Black Loon, one section of land on the Six Mile Reserve  
22692 and on the Salamania River, to include his improvements.
- 22693 To the wife of Benjamin, Ah-mac-kon-zee-quah, one section

22694 of land where she now lives, near the prairie, and to include  
 22695 her improvements, she being commonly known as Pichoux's  
 22696 sister.

22697 To Pe-she-wab, one section of land above and adjoining the  
 22698 section and a half granted to John B. Richardville on Flat Rock,  
 22699 (creek,) and to run one mile on the Wabash River.

22700 To White Raccoon, one section of land on the Ten Mile  
 22701 Reserve, where he may wish locate the same.

22702 To La Bonde, the chief's daughter, one section of land on  
 22703 the Wabash River, below and adjoining the section of land  
 22704 granted to Francis Godfroy, to be surveyed as she may direct.

22705 To Ni-con-zah one section of land on the Mississinnewa  
 22706 River, a little above the section of land granted to the Deaf  
 22707 Man's daughters, and on the opposite side of the river, to  
 22708 include the pine or evergreen tree, and to be surveyed as he  
 22709 may direct.

22710 To John B. Richardville, one section of land, to include the  
 22711 Osage village on the Mississinnewa River, as well as the bury-  
 22712 ing ground of his family, to be surveyed as he may direct.

22713 To Kee-ki-lash-e-we-ah *alias* Godfroy, one half section of land  
 22714 back of the section granted to the principal chief opposite the  
 22715 town of Wabash, to include the creek; one half section of land,  
 22716 commencing at the lower corner of the section granted to Mais-  
 22717 zi-quah, thence half a mile down the Wabash River.

22718 To Al-lo-lah, one section of land above and adjoining the  
 22719 section granted to Mais-shie-gouin-mi-zah, and on the same  
 22720 creek.

22721 To John B. Richardville, jr., one section of land on Pipe  
 22722 Creek, above and adjoining the two sections of land granted to  
 22723 the principal chief, to be surveyed as he may direct.

22724 To John B. Richardville, one section of land wherever he  
 22725 may choose to have the same located.

22726 It is understood that all the foregoing grants are to be  
 22727 located and surveyed so as to correspond with the public sur-  
 22728 veys as near as may be to include the points designated in each  
 22729 grant respectively.

22730 *Articles of a treaty made and concluded at the Forks of the*  
 22731 *Wabash, in the State of Indiana, this twenty-eighth day of*  
 22732 *November, in the year of our Lord one thousand eight hundred*  
 22733 *and forty, between Samuel Milroy and Allen Hamilton, act-*  
 22734 *ing (unofficially) as commissioners on the part of the United*  
 22735 *States, and the chiefs, warriors and head-men of the Miami*  
 22736 *tribe of Indians.*

22737 ARTICLE 1. The Miami tribe of Indians do hereby cede to

22738 the United States all that tract of land on the south side of the  
 22739 Wabash River, not heretofore ceded, and commonly known as  
 22740 "the residue of the Big Reserve." Being all of their remaining  
 22741 lands in Indiana.

22742 ARTICLE 2. For and in consideration of the cession afore-  
 22743 said, the United States agree to pay to the Miami tribe of  
 22744 Indians the sum of five hundred and fifty thousand dollars.  
 22745 Three hundred thousand dollars of which sum to be set apart,  
 22746 and applied immediately after the ratification of this treaty and  
 22747 an appropriation is made by Congress to carry its provisions  
 22748 into effect, to the payment of the debts of the tribe, as herein-  
 22749 after stipulated. And the residue, two hundred and fifty thou-  
 22750 sand dollars, to be paid in twenty equal yearly instalments.

22751 ARTICLE 3. The Miamies being desirous that their just  
 22752 debts shall be fully paid, it is hereby, at their request, stipulated  
 22753 that immediately on the ratification of this treaty, the United  
 22754 States shall appoint a commissioner or commissioners, who shall  
 22755 be authorised to investigate all claims against any and every  
 22756 member of the tribe, which have accrued since the 6th day of  
 22757 November, 1838, or which may accrue before the date of the  
 22758 ratification of this treaty, without regard to distinction of blood  
 22759 in the claimant or claimants. And whose duty it shall be to  
 22760 enquire into the equity and legality of the original cause of in-  
 22761 debtedness, whether the same now is, or may then be in the form  
 22762 of judgments, notes, or other evidence of debt, and report for  
 22763 payment out of the money set apart by this treaty for that pur-  
 22764 pose, such claims only, or parts of claims, as shall be both legal  
 22765 and just. And his or their award, when approved by the Pres-  
 22766 ident of the United States, shall be final. Two hundred and  
 22767 fifty thousand dollars of the sum set apart in the second article  
 22768 of this treaty shall be applied to the payment of debts con-  
 22769 tracted before the twenty-eighth day of November, 1840; and  
 22770 the residue of said sum, after such debts are satisfied, being  
 22771 fifty thousand dollars, to the payment of debts contracted  
 22772 between the last-named date and the time of the ratification of  
 22773 this treaty by the Senate of the United States; giving the pre-  
 22774 ference, in the application of said sum of fifty thousand dollars,  
 22775 to debts contracted for provisions and subsistence.

22776 ARTICLE 4. It is further stipulated that the sum of twenty-  
 22777 five thousand dollars be paid to John B. Richardville, and the  
 22778 sum of fifteen thousand dollars to the acting executor of Fran-  
 22779 cis Godfroy, deceased, being the amount of their respective  
 22780 claims against the tribe, out of the money set apart for the  
 22781 payment of their debts by the second article of this treaty.

22782 ARTICLE 5. And whereas the late war chief (Francis God-  
 22783 froy) bequeathed to his children a large estate, to remain un-

22 84 sold until the youngest of said children shall arrive at the age  
 22785 of twenty-one years: It is therefore stipulated that the United  
 22786 States shall pay to the family of said deceased chief their just  
 22787 proportion of the annuities of said tribe, at Fort Wayne, from  
 22788 and after the time the tribe shall emigrate to the country as-  
 22789 signed to them west of the Mississippi.

22790 ARTICLE 6. It is further stipulated that the sum of two  
 22791 hundred and fifty dollars shall be paid annually by the United  
 22792 States, and accepted by the Miamies in lieu of the labour stipu-  
 22793 lated to be furnished by the fourth article of the treaty of the  
 22794 23d of October, 1826, (proclaimed January 24, 1827,) for the pur-  
 22795 pose of preventing the dissatisfaction occasioned heretofore in  
 22796 the distribution of said labour amongst the different bands.

22797 ARTICLE 7. It is further stipulated that the United States  
 22798 convey by patent to Me-shing-go-me-sia, son of Ma-to-sin-ia, the  
 22799 tract of land reserved by the second article of the treaty of the  
 22800 6th of November, 1838, to the band of Ma-to-sin-ia, to be held  
 22801 in trust by the said Me-shing-go-me-zia, for his band; and the  
 22802 proceeds thereof, when the same shall be alienated, shall be  
 22803 equitably distributed to said band, under the direction of the  
 22804 President. And the same provision made in favour of John B.  
 22805 Richardville and family, in the 14th article of the treaty of the  
 22806 6th of November, 1838, (proclaimed February 8, 1839,) is hereby  
 22807 granted and extended to the above-named Me-shing-go-me-sia,  
 22808 and to his brothers.

22809 ARTICLE 8. It is hereby stipulated that the Miami tribe of  
 22810 Indians shall remove to the country assigned them west of the  
 22811 Mississippi, within five years from this date; the United States  
 22812 paying every expense attending such removal, and to furnish  
 22813 rations to said tribe for twelve months after their arrival at said  
 22814 country. And the United States shall also cause four thousand  
 22815 dollars to be expended to the best advantage in supplying good  
 22816 merchantable pork and flour to said tribe, during the second  
 22817 year of their residence at their new homes; which sum is to  
 22818 be deducted from their annuity of that year.

22819 ARTICLE 9. It is further stipulated that should there be  
 22820 an unexpended balance of the "three hundred thousand dol-  
 22821 lars," after the payment of the debts of the tribe as provided in  
 22822 the second article of this treaty, such balance is to be paid  
 22823 over to the Miamies at the next payment of annuities after the  
 22824 amount of said balance shall have been ascertained.

22825 ARTICLE 10. It is stipulated and agreed between the con-  
 22826 tracting parties that there shall be, and hereby is, granted and  
 22827 reserved to John B. Richardville, principal chief, seven sections  
 22828 of land, from the land ceded in the first article of this treaty,  
 22829 at such point or points as he may select, (not less than one sec-

22830 tion at any one point,) to be conveyed to him by patent from  
 22831 the United States: And also, in like manner, one section of  
 22832 land to Francis Lafountain, at the rapids of Wildeat, to be sur-  
 22833 veyed under his direction.

22834 ARTICLE 11. Nothing in this treaty shall be so construed  
 22835 as to impair the force or validity of former treaty stipulations  
 22836 existing between the United States and the Miami tribe of In-  
 22837 dians, not altered by nor coming within the purview of any of  
 22838 the provisions of this treaty.

22839 ARTICLE 12. The United States hereby stipulate to set  
 22840 apart and assign to the Miamies, for their occupancy west of the  
 22841 Mississippi, a tract of country bounded on the east by the State  
 22842 of Missouri, on the north by the country of the Weas and Kas-  
 22843 kaskias, on the west by the Pottawatomies of Indiana, and on  
 22844 the south by the land assigned to the New York Indians, esti-  
 22845 mated to contain five hundred thousand acres.

22846 ARTICLE 13. It is hereby stipulated that the United States  
 22847 provide for the payment of the expence which may be necessarily  
 22848 incurred in the negociation of this treaty.

22849 ARTICLE 14. This treaty shall be binding on the United  
 22850 States, and on the Miami tribe of Indians, from and after the  
 22851 date of its ratification by the President, by and with the advice  
 22852 and consent of the Senate of the United States. But if the  
 22853 same shall not be so ratified before the 4th day of March next,  
 22854 it shall be of no binding force or validity.

22855 ARTICLE 15. We, the chiefs, warriors, and head-men of the  
 22856 Miami tribe of Indians, having examined and considered the  
 22857 foregoing articles, after the same had been interpreted and ex-  
 22858 plained to us to our satisfaction, do hereby agree and request  
 22859 that the said articles shall be taken and held as a treaty between  
 22860 the parties thereto; and when ratified as provided in the last  
 22861 preceding article, be binding on our tribe, and on the United  
 22862 States, as fully to all intents and purposes as though the same  
 22863 had been officially and formally made on the part of the United  
 22864 States.

22865 Proclaimed June 7, 1841.

22866 FRANKLIN PIERCE, President of the United States of America,  
 22867 to all and singular to whom these presents shall come,  
 22868 greeting:

22869 Whereas a treaty was made and concluded on the fifth day  
 22870 of June, eighteen hundred and fifty-four, between George W.  
 22871 Manypenny, commissioner on the part of the United States, and  
 22872 the following-named delegates, representing the Miami tribe of  
 22873 Indians, viz: Nah-we-lan-quah, or Big Legs; Ma-cat-a-chin-quah,  
 22874 or Little Doctor; Lan-a-pin-chah, or Jack Hackley; So-ne-lan-

22875 gish-eah, or John Bowrie; and Wan-zop-e-ah, they being thereto  
 22876 duly authorized by said tribe; and Me-shin-go-me-zia, Po-con-  
 22877 ge-ah, Pim-yi-oh-te-mah, Wop-pop-pe-tah, or Bondy, and Ke-ah-  
 22878 cot-woh, or Buffalo, Miami Indians, residents of the State of  
 22879 Indiana, being present, and assenting, approving, and agreeing  
 22880 to, and confirming said articles of agreement and convention;  
 22881 which treaty is in the words following, to wit:

22882 Articles of agreement and convention made and concluded at  
 22883 the city of Washington, this fifth day of June, one thou-  
 22884 sand eight hundred and fifty-four, between George W. Many-  
 22885 penny, commissioner on the part of the United States, and  
 22886 the following-named delegates representing the Miami tribe  
 22887 of Indians, viz: Nah-we-lan-quah, or Big Legs; Ma-cat-a-  
 22888 chin-quah, or Little Doctor; Lan-a-pin-cha, or Jack Hackley;  
 22889 So-ne-lan-gish-eah, or John Bowrie; and Wan-zop-e-ah, they  
 22890 being thereto duly authorized by said tribe; and Me-shin-  
 22891 go-me-zia, Po-con-ge-ah, Pim-yi-oh-te-mah, Wop-pop-pe-tah,  
 22892 or Bondy, and Ke-ah-cot-woh, or Buffalo, Miami Indians,  
 22893 residents of the State of Indiana, being present, and assent-  
 22894 ing, approving, agreeing to, and confirming said articles of  
 22895 agreement and convention.

22896 ARTICLE 1. The said Miami Indians hereby cede and con-  
 22897 vey to the United States all that certain tract of country set  
 22898 apart and assigned to the said tribe by the article added by the  
 22899 Senate of the United States, by resolution of the date of Feb-  
 22900 ruary twenty-fifth, one thousand eight hundred and forty-one, to  
 22901 the treaty of November twenty-eighth, one thousand eight hun-  
 22902 dred and forty, and denominated among the amendments of the  
 22903 Senate as "Article 12," which was assented to by said Indians,  
 22904 on the fifteenth day of May, one thousand eight hundred and  
 22905 forty-one; which tract is designated in said article as "bounded  
 22906 on the east by the State of Missouri, and on the north by the  
 22907 country of the Weas and Piankeshaws, on the west by the Pot-  
 22908 towatomies of Indiana, and on the south by the land assigned  
 22909 to the New York Indians, estimated to contain five hundred  
 22910 thousand acres," excepting and reserving therefrom seventy  
 22911 thousand acres for their future homes, and also a section of six  
 22912 hundred and forty acres for school purposes, to be selected and  
 22913 assigned to said tribe as hereinafter provided.

22914 ARTICLE 2. The United States shall, as soon as it can con-  
 22915 veniently be done, cause the lands herein ceded and reserved to  
 22916 be surveyed, as the Government lands are surveyed, the Miamis  
 22917 bearing the expense of survey of the reserved land; and, within  
 22918 four months after the approval of such surveys, each individual  
 22919 or head of a family of the Miami tribe, now residing on said  
 22920 lands, shall select, if a single person, two hundred acres; and

22921 if the head of a family, a quantity equal to two hundred acres  
 22922 for each member of the family; which selections shall be so  
 22923 made as to include in each case, as far as practicable, the present  
 22924 residences and improvements of each person or family, and,  
 22925 where it is not practicable, the selection shall fall on lands in  
 22926 the same neighborhood. And if, by reason of absence or other-  
 22927 wise, any single person, or head of a family, entitled to land as  
 22928 aforesaid, shall fail to make his or her selection within the period  
 22929 prescribed, the chiefs of the tribe shall proceed to select the  
 22930 lands for those thus in default. The chiefs shall also select the  
 22931 six hundred and forty acres hereinbefore reserved for their  
 22932 school, to include the buildings erected for school purposes, and  
 22933 to embrace a sufficient portion of timber-land. After all of the  
 22934 before-named selections shall have been made, the said chiefs  
 22935 shall further proceed to select, in a compact body, and contiguous  
 22936 to the individual reservations, the residue of the seventy thou-  
 22937 sand acres accepted and reserved by the preceding article, which  
 22938 body of land shall be held as the common property of the tribe,  
 22939 but may, at any time, when the chiefs and a majority of the  
 22940 tribe request it, be sold by the President, in the manner that  
 22941 public lands of the United States are sold, and the proceeds,  
 22942 after deducting the expense of such sale, be paid to the tribe,  
 22943 under the direction of the President, and in such mode as he  
 22944 may prescribe: *Provided*, That if any single person, or family  
 22945 entitled to land, shall have been overlooked, or wrongfully  
 22946 excluded, and shall make the fact appear to the satisfaction of  
 22947 the chiefs, such person or family may, with the approbation of  
 22948 the Commissioner of Indian Affairs, receive their quantity, by  
 22949 the rule prescribed in this article, out of the tract to be thus  
 22950 selected and held as the common property of the tribe. All the  
 22951 selections herein provided for shall, as far as practicable, be made  
 22952 in conformity with the legal subdivisions of United States lands,  
 22953 and immediately reported to the agent of the tribe, with apt  
 22954 descriptions of the same, and the President may cause patents  
 22955 to issue to single persons or heads of families for the lands  
 22956 selected by or for them, subject to such restrictions respecting  
 22957 leases and alienation as the President or Congress of the United  
 22958 States may impose; and the lands so patented shall not be liable  
 22959 to levy, sale, execution, or forfeiture: *Provided*, That the legis-  
 22960 lature of a State within which the ceded country may be here-  
 22961 after embraced may, with the assent of Congress, remove these  
 22962 restrictions. When selections are so made, or attempted to be  
 22963 made, as to produce injury to, or controversies between, indi-  
 22964 viduals, which cannot be settled by the parties, the matters of  
 22965 difficulty shall be investigated and decided on equitable terms,

22966 by the chiefs of the tribe, subject to appeal to the agent, whose  
22967 decision shall be final.

22968       ARTICLE 3. In consideration of the cession hereinbefore  
22969 made, the United States agree to pay to the Miami tribe of In-  
22970 dians the sum of two hundred thousand dollars, in manner as  
22971 follows, viz: Twenty annual instalments of seven thousand five  
22972 hundred dollars each, the first payable on the first day of Octo-  
22973 ber, one thousand eight hundred and sixty, and the remainder  
22974 to be paid respectively on the first day of October of each suc-  
22975 ceeding year, until the whole shall have been paid; and the re-  
22976 maining fifty thousand dollars shall be invested by the Presi-  
22977 dent in safe and profitable stocks, the interest thereon to be ap-  
22978 plied, under his direction, for educational purposes, or such  
22979 objects of a beneficial character, for the good of the tribe, as  
22980 may be considered necessary and expedient; and, hereafter,  
22981 whenever the President shall think proper, the sum thus pro-  
22982 vided to be invested may be converted into money, and the  
22983 same paid to the tribe in such manner as he may judge to be  
22984 best for their interests. No part of the moneys in this or the  
22985 preceding article mentioned shall ever be appropriated or paid  
22986 to the persons, families, or bands, who, by the fourteenth article  
22987 of the treaty of November sixth, one thousand eight hundred  
22988 and thirty-eight, by the fifth and seventh articles of the treaty  
22989 of November twenty-eight, one thousand eight hundred and  
22990 forty, or by virtue of two resolutions of Congress, approved  
22991 March third, one thousand eight hundred and forty-five, and  
22992 May first, one thousand eight hundred and fifty, or otherwise,  
22993 are permitted to draw or have drawn, in the State of Indiana,  
22994 their proportion of the annuities of the Miami tribe.

22995       ARTICLE 4. It is agreed that the remaining instalments  
22996 of the limited annuity of twelve thousand five hundred dol-  
22997 lars, stipulated to be paid by the second article of the treaty  
22998 of November twenty-eight, one thousand eight hundred and  
22999 forty, shall be divided and paid to the said Indians here-  
23000 after as follows: to the Indiana Miamis, six thousand eight  
23001 hundred and sixty-three dollars and sixty-four cents, and to  
23002 the Western Miamis, five thousand six hundred and thirty-six  
23003 dollars and thirty-six cents, per annum; subject, however,  
23004 to the deductions provided for in the sixth article of this in-  
23005 strument; and that the permanent annuity stipulated in  
23006 the fifth article of the treaty of October sixth, one thousand  
23007 eight hundred and eighteen, as modified by the fifth article  
23008 of the treaty of October twenty-third, one thousand eight  
23009 hundred and thirty-four, for a blacksmith and miller, shall  
23010 be continued for the benefit of said Western Miamis; but  
23011 the said Miami Indians hereby relinquish and forever ab-

23012 solve the United States from the payment of the perma-  
 23013 nent annuity of twenty-five thousand dollars, stipulated in the  
 23014 fourth article of the treaty of October twenty-third, one thousand  
 23015 eight hundred and twenty-six, of the permanent provisions for  
 23016 money in lieu of laborers, for agricultural assistance, for tobacco,  
 23017 iron, steel, and salt, and from the payment of any and all other  
 23018 annuities of every kind or description, if any there be, to which  
 23019 said Indians may now be entitled by virtue of the stipulations  
 23020 of any former treaty or treaties; and they also release and dis-  
 23021 charge the United States from all claims or damages on account  
 23022 of the non-fulfilment of the stipulations of any former treaties,  
 23023 or of injuries to or destruction or loss of property by the wrong-  
 23024 ful acts of citizens or agents of the United States or otherwise;  
 23025 and in consideration of the relinquishments and releases afore-  
 23026 said, the United States agree to pay to the said Miami Indians  
 23027 the sum of four hundred and twenty-one thousand four hundred  
 23028 and thirty-eight dollars and sixty-eight cents, in manner as fol-  
 23029 lows, viz: one hundred and ninety thousand four hundred and  
 23030 thirty-four dollars and sixty-eight cents to the Miami Indians re-  
 23031 siding on the ceded land; and two hundred and thirty-one thousand  
 23032 and four dollars, to the Miami Indians in the State of Indiana;  
 23033 to be paid under the direction of the President, and in such man-  
 23034 ner and for such objects as he may prescribe, in six equal annual  
 23035 instalments, the first of which shall be paid in the month of  
 23036 October, one thousand eight hundred and fifty-four. And in  
 23037 full payment and satisfaction of a balance of eight thousand dol-  
 23038 lars and sixty-eight cents, heretofore appropriated by Congress to  
 23039 pay for the valuation of certain improvements, or to make others  
 23040 in lieu of them, but which, not having been expended, has gone  
 23041 to the surplus fund; and of the accumulation of the appropri-  
 23042 ations for the support of the poor and infirm, and the education  
 23043 of the youth of the tribe, as provided by the treaties of October  
 23044 twenty-third, one thousand eight hundred and twenty-six, and  
 23045 November sixth, one thousand eight hundred and thirty-eight,  
 23046 amounting to fourteen thousand two hundred and twenty-three  
 23047 dollars and fifty cents; and of the claims of the Miamis who live  
 23048 on the ceded land, for damages and loss of stock and other prop-  
 23049 erty, caused by their removal west, and their subsequent loss by  
 23050 removal from Sugar Creek, it is agreed that the United States  
 23051 will pay to the Miami Indians residing on said ceded lands the  
 23052 sum of thirty thousand dollars, to be paid as follows, viz: fourteen  
 23053 thousand two hundred and twenty-three dollars and fifty cents,  
 23054 in three equal annual instalments, the first of which shall be  
 23055 paid in the month of October, one thousand eight hundred and  
 23056 fifty-four; and the sums of eight thousand dollars and sixty-eight  
 23057 cents, in lieu of the improvement money referred to, and seven

23058 thousand seven hundred and seventy-five dollars and eighty-two  
 23059 cents, being the residue of said amount of thirty thousand dol-  
 23060 lars, shall be paid immediately after the requisite appropriation  
 23061 shall have been made: *Provided*, That the said sum of eight  
 23062 thousand dollars and sixty-eight cents shall be paid to the per-  
 23063 sons who are entitled to the same, as far as that may be prac-  
 23064 ticable; and the seven thousand seven hundred and seventy-five  
 23065 dollars and eighty-two cents shall be paid to such of the Miamis  
 23066 west as have lost stock or other property by wrongful acts of  
 23067 citizens of the United States, while in the Indian country, and  
 23068 to those who were injured by the loss of improvements in their  
 23069 removal from Sugar Creek to their present home. The claim-  
 23070 ants, in all cases, to file their demands with the chiefs within six  
 23071 months after the ratification of this instrument; and if the ag-  
 23072 gregate sum of the lawful claims exceeds the amount of the  
 23073 fund, the claims shall be reduced by a uniform rule, so that each  
 23074 claimant shall receive his pro rata; but if it fall within the  
 23075 amount of said fund, the excess shall be paid to the tribe as an-  
 23076 nuities are paid. Any person aggrieved by the decision of the  
 23077 chiefs may appeal to the agent: "*Provided, however*, That if the  
 23078 Miami Indians of the State of Indiana desire it, and notify the  
 23079 Secretary of the Interior of that fact, he will cause the said sum  
 23080 of two hundred and thirty-one thousand and four dollars to be in-  
 23081 vested for them in safe stocks, and pay over annually to said Indians  
 23082 the interest arising from such investment, and the said Miami  
 23083 Indians now present from the State of Indiana agree to take the  
 23084 opinion of their people on their return home, and advise the De-  
 23085 partment without delay."  
 23086 § The sum of two hundred and thirty-one thousand and four  
 23087 dollars hereby stipulated to be paid to Miami Indians of  
 23088 Indiana shall be held by the United States for said last-named  
 23089 Indians, and by the Government invested, as the President  
 23090 may direct, at an interest of five per cent. per annum, and  
 23091 which interest shall be paid annually, for the period of twenty-  
 23092 five years, to the said Miami Indians of Indiana, and at the ex-  
 23093 piration of that time, or sooner if required by them and ap-  
 23094 proved by the President, the principal sum to be paid in full, the  
 23095 United States being directly responsible therefor; said invest-  
 23096 ment to be made and the interest thereon to commence accruing  
 23097 the first day of July, eighteen hundred and fifty-five, and thence  
 23098 to continue: *Provided*, That no persons other than those em-  
 23099 braced in the corrected list agreed upon by the Miamis of In-  
 23100 diana, in the presence of the Commissioner of Indian Affairs, in  
 23101 June, eighteen hundred and fifty-four, comprising three hundred  
 23102 and two names as Miami Indians of Indiana, and the increase  
 23103 of the families of the persons embraced in said corrected list,

23104 shall be recipients of the payments, annuities, commutation  
 23105 moneys and interest hereby stipulated to be paid to the Miami  
 23106 Indians of Indiana, unless other persons shall be added to said  
 23107 list by the consent of the said Miami Indians of Indiana, ob-  
 23108 tained in council according to the custom of Miami tribe of  
 23109 Indians: *Provided*, That the sum of nine thousand seven hun-  
 23110 dred and forty-six dollars and fourteen cents shall immediately  
 23111 be paid out of said sum of two hundred and thirty-one thousand  
 23112 and four dollars (and deducted from the same) to the following  
 23113 persons, who are a portion of the Miami tribe of Indians re-  
 23114 siding in Indiana, and in the following manner: seven thousand  
 23115 six hundred and eighty-nine dollars and twenty-two cents to the  
 23116 family of Jane T. Griggs, consisting of herself and six children,  
 23117 to wit, Warren A—, Charles F—, Anthony W—, Ann Eliza—,  
 23118 Martha Jane, and Maria Elizabeth Griggs, which sum may be  
 23119 paid to the said Jane T. Griggs, and her husband John H.  
 23120 Griggs, the father of said children, or to either of them; and  
 23121 the sum of two thousand and fifty-six dollars and ninety-two  
 23122 cents to Sash-o-quash and his wife, E-leu-e-pish-o-quash, which  
 23123 may be paid to the said Sash-o-quash, it being understood that  
 23124 the said Griggs family have drawn but one annuity for the last  
 23125 eight years, the others having been paid to the balance of the  
 23126 tribe; which sum of nine thousand seven hundred and forty-six  
 23127 dollars and fourteen cents is to be in full payment and satisfac-  
 23128 tion of all sums of money that may be due, owing, or coming to  
 23129 said two families, by virtue of this and all former treaties on  
 23130 account of their being of the Miami tribe of Indians or other-  
 23131 wise.

23132 The Miami Indians of Indiana being now represented in  
 23133 Washington by a fully authorized deputation, and having re-  
 23134 quested the foregoing amendments, the same are binding on  
 23135 them; but these amendments are in no way to affect or impair  
 23136 the stipulations in said treaty contained as to the Miamis west  
 23137 of the Mississippi, the said amendments being final and not  
 23138 required to be submitted to the Miamis for their consent.

23139 And the sum of two thousand two hundred dollars is here-  
 23140 by directed to be paid to the said Indians residing in the State  
 23141 of Indiana, for time employed and money expended in assisting  
 23142 to make this treaty, which may be paid to James T. Miller, their  
 23143 interpreter, and Tyn-yi-oh-te-mah, or to either of them, to be  
 23144 divided among said Indians according to justice and equality.

23145 ARTICLE 5. It is hereby understood and agreed, respecting  
 23146 the permanent annuity of twenty-five thousand dollars, that the  
 23147 said Indians shall receive the same for the years eighteen hun-  
 23148 dred and fifty-four and eighteen hundred and fifty-five, but no  
 23149 longer. It is also understood and agreed (the Miamis west

23150 consenting) that as the Miamis of Indiana have had no share of  
 23151 the iron, steel, salt, tobacco, and so forth, given under treaty  
 23152 stipulations, and that as there is now in the Treasury under those  
 23153 heads of appropriation an unexpended balance of four thousand  
 23154 and fifty-nine dollars and eight cents, they shall have and re-  
 23155 ceive said amount—and that the said annuity of twenty-five  
 23156 thousand dollars for said two years shall be divided between  
 23157 the Miamis of Indiana and those west of Missouri, in the same  
 23158 proportion as the annuity of twelve thousand five hundred dol-  
 23159 lars is divided in the preceding article.

23160 ARTICLE 6. The United States having advanced, in pur-  
 23161 suance of a provision of the act of Congress approved August  
 23162 thirtieth, one thousand eight hundred and fifty-two, entitled  
 23163 “An act making appropriations for the current and contingent  
 23164 expenses of the Indian Department,” &c., the sum of twelve  
 23165 thousand four hundred and thirty-seven dollars and six cents to  
 23166 the Miami Indians, for the payment of an amount due to the  
 23167 Eel River band that had been erroneously paid to the “Miami  
 23168 Nation;” and the sum of one thousand five hundred and fifty-  
 23169 four dollars and sixty-three cents only, having, since said  
 23170 advance, been withheld by the United States, as a re-imburse-  
 23171 ment in part therefor, and there being still due to the United  
 23172 States, on account thereof, the sum of ten thousand eight hun-  
 23173 dred and eighty-two dollars and forty-three cents, it is hereby  
 23174 agreed that said balance shall be re-imbursed fully to the United  
 23175 States out of the limited annuity of twelve thousand five hun-  
 23176 dred dollars, before mentioned in this instrument, in the manner  
 23177 and proportions following; that is to say, out of said annuity  
 23178 for the year one thousand eight hundred and fifty-four, and each  
 23179 of the five consecutive years, there shall be retained from the  
 23180 portion to be paid in those years to the Miamis of Indiana, the  
 23181 sum of eight hundred and fifty-three dollars and sixty-three  
 23182 cents, and from the portion to be paid to the Miamis west, the  
 23183 sum of seven hundred dollars and ninety-nine cents, and in the  
 23184 year one thousand eight hundred and sixty, from the portion  
 23185 due the Miamis of Indiana, the sum of eight hundred and fifty-  
 23186 three dollars and sixty-eight cents, and from the portion due  
 23187 those west, the sum of seven hundred and one dollars and three  
 23188 cents.

23189 ARTICLE 7. Citizens of the United States or other persons  
 23190 not members of said tribe shall not be permitted to make loca-  
 23191 tions or settlements in the ceded country, until after the selec-  
 23192 tions hereinbefore provided for have been made; and the pro-  
 33193 visions of the act of Congress approved March third, one thou-  
 23194 sand eight hundred and seven, in relation to lands ceded to the

23195 United States, shall, so far as the same are applicable, be ex-  
 23196 tended to the lands herein ceded.

23197 ARTICLE 8. The debts of Indians contracted in their private  
 23198 dealings as individuals, whether to traders or otherwise, shall  
 23199 not be paid out of the general fund. And should any of said  
 23200 Indians become intemperate or abandoned, and waste their  
 23201 property, the President may withhold any moneys due or paya-  
 23202 ble to such, and cause them to be paid, expended, or applied, so  
 23203 as to ensure the benefit thereof to their families.

23204 ARTICLE 9. The said Indians promise to renew their efforts  
 23205 to prevent the introduction and use of ardent spirits in their  
 23206 country, to encourage industry, thrift, and morality, and by  
 23207 every possible means to promote their advancement in civiliza-  
 23208 tion. They desire to be at peace with all men, and they bind  
 23209 themselves not to commit depredations or wrong upon either In-  
 23210 dians or citizens; and should difficulties at any time arise, they  
 23211 will abide by the laws of the United States in such cases made  
 23212 and provided, as they expect to be protected, and to have their  
 23213 rights vindicated by those laws.

23214 ARTICLE 10. It is agreed that all roads and highways, laid  
 23215 out by authority of law, shall have right of way through the  
 23216 lands herein reserved, on the same terms as are provided by law  
 23217 when roads and highways are made through lands of citizens of  
 23218 the United States; and railroad companies, when the lines of  
 23219 their roads necessarily pass through the lands of the said In-  
 23220 dians, shall have right of way on the payment of a just com-  
 23221 pensation therefor in money.

23222 ARTICLE 11. The object of this instrument being to advance  
 23223 the interests of said Indians, it is agreed, if it prove insuffi-  
 23224 cient, from causes which cannot now be foreseen, to effect these  
 23225 ends, that the President may, by and with the advice and con-  
 23226 sent of the Senate, adopt such policy in the management of  
 23227 their affairs as, in his judgment, may be most beneficial to  
 23228 them; or Congress may, hereafter, make such provision by law  
 23229 as experience shall prove to be necessary.

23230 ARTICLE 12. It is agreed that the first instalment of the  
 23231 fourteen thousand two hundred and twenty-three dollars and  
 23232 fifty cents, mentioned in the fourth article, being the accumula-  
 23233 tion of the poor, infirm, and education fund, shall be applied,  
 23234 under the direction of the President, to purposes of education;  
 23235 and that a sufficient sum shall annually be set apart out of the  
 23236 payments to the Miamis west of Missouri, so long as any of the  
 23237 annuities herein provided for shall continue, to be expended un-  
 23238 der the direction of the chiefs, for the support of the poor and  
 23239 infirm, and for defraying any expenses of the tribe of a civil  
 23240 nature.

23241 ARTICLE 13. It is hereby agreed that the sum of six thou-  
 23242 sand five hundred dollars may be set apart from each of the first  
 23243 four annual payments to be made to the Miamis west, and ap-  
 23244 plied, as far as it may be necessary, to the settlement of their  
 23245 affairs. It is also agreed that so much as may be necessary for  
 23246 the repair of their mill and school-house shall be set apart from  
 23247 any fund now on hand belonging to said Indians, or be taken  
 23248 from any of the first instalments in this instrument provided  
 23249 for.

23250 ARTICLE 14. This instrument shall be obligatory on the  
 23251 contracting parties whenever the same shall be ratified by the  
 23252 President and the Senate of the United States.

23253 Proclaimed August 4, 1854.

#### 23254 MIAMIS—EEL RIVER OR THORNTOWN PARTY.

23255 *Articles of a treaty made and concluded at the Wyandot village, near*  
 23256 *the Wabash, in the State of Indiana, between John Tipton,*  
 23257 *commissioner for that purpose, on the part of the United States,*  
 23258 *and the chiefs, head-men, and warriors of the Eel River or*  
 23259 *Thorntown party of Miami Indians.*

23260 ARTICLE 1. The chiefs, head-men, and warriors of the Eel  
 23261 River or Thorntown party of Miami Indians, agree to cede, and  
 23262 by these presents do cede and relinquish to the United States,  
 23263 all their right, title, and claim to a reservation of land about ten  
 23264 miles square, at their village on Sugartree Creek in Indiana,  
 23265 which was reserved to said party by the second article of a  
 23266 treaty between commissioners of the United States and the  
 23267 Miami Nation of Indians, made and entered into at St. Mary's  
 23268 in the State of Ohio, on the sixth day of October, one thousand  
 23269 eight hundred and eighteen, (proclaimed January 15, 1819.)

23270 It is understood and agreed on by said Indians that they  
 23271 will not burn or destroy the houses or fences on said reservation,  
 23272 and that they will leave them in as good condition as they now  
 23273 are, and remove to the five-mile reservation on Eel River by the  
 23274 fifteenth day of October next.

23275 ARTICLE 2. The commissioner of the United States has  
 23276 delivered to said party of Indians goods to the value of two  
 23277 thousand dollars, in part consideration for the cession herein  
 23278 made; and it is agreed that in case this treaty should be ratified  
 23279 by the President and Senate of the United States, that the United  
 23280 States shall pay said party an additional sum of eight thousand  
 23281 dollars in goods next summer, build twelve log-houses, ten on  
 23282 the five-mile reservation, and two on the Wabash; clear and

23283 fence forty acres of land on the five-mile reservation, furnish  
 23284 them one wagon and two yoke of oxen, furnish two hands to  
 23285 work three months in each year for two years, five hundred dol-  
 23286 lars' worth of provisions delivered on the Wabash; furnish them  
 23287 five horses, five saddles, and five bridles: *Provided, however,* That  
 23288 if this treaty should not be ratified by the President and Senate  
 23289 of the United States, that said party agree to pay, for the goods  
 23290 this day received, two thousand dollars, to be deducted from  
 23291 their annuity for this present year.

23292 ARTICLE 3. At the request of the Indians, and in part con-  
 23293 sideration for the cession aforesaid, the United States agree to  
 23294 pay to Peter Langlois one thousand dollars in silver, and three  
 23295 thousand dollars in goods next summer, for provisions and goods  
 23296 heretofore delivered to said party.

23297 ARTICLE 4. The United States agree to appropriate one  
 23298 thousand dollars per year for five years, and longer if Congress  
 23299 think proper, to be applied, under the direction of the President,  
 23300 to the education of the youths of the Miami Nation.

23301 ARTICLE 5. It is distinctly understood and agreed on by  
 23302 and between the contracting parties, that the President and  
 23303 Senate may, if they think proper, modify or expunge from  
 23304 this treaty the fourth article, without affecting any other of its  
 23305 provisions.

23306 ARTICLE 6. This treaty, after the same shall be ratified by  
 23307 the President and Senate of the United States, shall be binding  
 23308 on the contracting parties.

23309 Proclaimed May 7, 1823.

23310 MOHAWKS RESIDING IN UPPER CANADA.

23311 *Relinquishment to New York, by the Mohawk Nation of Indians,*  
 23312 *under the sanction of the United States of America, of all*  
 23313 *claim to lands in that State.*

23314 At a treaty held under the authority of the United States  
 23315 with the Mohawk Nation of Indians, residing in the province of  
 23316 Upper Canada, within the dominions of the King of Great Brit-  
 23317 ain, present, the honorable Isaac Smith, commissioner appointed  
 23318 by the United States to hold this treaty; Abraham Ten Broeck,  
 23319 Egbert Benson, and Ezra L'Hommedieu, agents for the State of  
 23320 New York; Captain Joseph Brandt, and Captain John Deseron-  
 23321 tyon, two of the said Indians and deputies, to represent the said  
 23322 nation at this treaty.

23323 The said agents having, in the presence and with the ap-  
 66 I T

23324 probation of the said commissioner, proposed to and adjusted  
 23325 with the said deputies the compensation as hereinafter men-  
 23326 tioned to be made to the said nation for their claim, to be ex-  
 23327 tinguished by this treaty, to all lands within the said State: it  
 23328 is thereupon finally agreed and done, between the said agents  
 23329 and the said deputies as follows, that is to say: the said agents  
 23330 do agree to pay to the said deputies the sum of one thousand  
 23331 dollars, for the use of said nation, to be by the said deputies  
 23332 paid over to, and distributed among, the persons and families of  
 23333 the said nation, according to their usages; the sum of five hun-  
 23334 dred dollars for the expense of the said deputies, during the time  
 23335 they have attended this treaty; and the sum of one hundred  
 23336 dollars for their expenses in returning, and for conveying the  
 23337 said sum of one thousand dollars to where the said nation re-  
 23338 sides. And the said agents do accordingly, for and in the name  
 23339 of the people of the State of New York, pay the said three  
 23340 several sums to the said deputies, in the presence of the said  
 23341 commissioner. And the said deputies do agree to cede and re-  
 23342 lease, and these presents witness, that they accordingly do, for  
 23343 and in the name of the said nation, in consideration of the said  
 23344 compensation, cede and release to the people of the State of New  
 23345 York forever all the right or title of the said nation to lands within  
 23346 the said State; and the claim of the said nation to lands within  
 23347 the said State is hereby wholly and finally extinguished.  
 23348 Proclaimed April 27, 1798.

23349

## MOLELS.

23350 *Treaty between the United States of America and the Molel Indians,*  
 23351 *concluded at Dayton, Oregon, December 21, 1855; ratified by*  
 23352 *the Senate March 8, 1859.*

23353 JAMES BUCHANAN, President of the United States of America,  
 23354 to all and singular to whom these presents shall come,  
 23355 greeting:

23356 Whereas a treaty was made and concluded at Dayton, in  
 23357 Oregon, on the twenty-first day of December, one thousand eight  
 23358 hundred and fifty-five, between Joel Palmer, superintendent of  
 23359 Indian affairs for the Territory of Oregon, on the part of the  
 23360 United States, and the hereinafter-named chiefs and head-men of  
 23361 the Mo-lal-la-las or Molel tribe of Indians, on behalf of and duly  
 23362 authorized by the said tribe, which treaty is in the words and  
 23363 figures following, to wit:

23364 Articles of convention and agreement entered into this 21st day  
 23365 of December, 1855, between Joel Palmer, superintendent of

23366 Indian affairs, acting for and in behalf of the United States,  
 23367 and the chiefs and head-men of the Mo-lal-la-las or Molel  
 23368 tribe of Indians, they being authorized by their respective  
 23369 bands in council assembled.

23370 ARTICLE 1. The above-named tribe of Indians hereby cede  
 23371 to the United States all their right, title, interest, and claim to  
 23372 all that part of Oregon Territory situated and bounded as here-  
 23373 inafter described, the same being claimed by them, to wit: Be-  
 23374 ginning at Scott's Peak, being the northeastern termination of  
 23375 the purchase made of the Umpaquah and Calapooias, of Umpa-  
 23376 quah Valley, on the 29th day of November, 1854; thence run-  
 23377 ning southerly on the eastern boundary line of that purchase  
 23378 and the purchase of the Cow Creeks, on the 19th day of Sep-  
 23379 tember, 1853, and the tract purchased of the Scotens, Chestas,  
 23380 and Grave Creeks, on the eighteenth day of November,  
 23381 1854, to the boundary of the Rogue River purchase made on  
 23382 the tenth day of September, 1853; thence along the northern  
 23383 boundary of that purchase to the summit of the Cascade Mount-  
 23384 ains; thence northerly along the summit of said mountains to  
 23385 a point due east of Scott's Peak; thence west to the place of  
 23386 beginning.

23387 ARTICLE 2. In consideration of the cession and relinquish-  
 23388 ment herein made, the United States agree to make the follow-  
 23389 ing provisions for said Indians and pay the sums of money as  
 23390 follows:

23391 1st. To secure to the members of said tribe all the rights  
 23392 and privileges guaranteed by treaty to the Umpaquah and Cal-  
 23393 apooias, of the Umpaquah Valley, jointly with said tribes, they  
 23394 hereby agreeing to confederate with those bands.

23395 2d. To erect and keep in repair and furnish suitable persons  
 23396 to attend the same for the term of ten years, the benefits of  
 23397 which to be shared alike by all the bands confederated, one  
 23398 flouring-mill and one saw-mill.

23399 3d. To furnish iron, steel, and other materials for supplying  
 23400 the smith's shop and tin-shop stipulated in the treaty of 29th  
 23401 November, 1854, and pay for the services of the necessary me-  
 23402 chanics for that service for five years in addition to the time  
 23403 specified by that treaty.

23404 4th. To establish a manual-labor school, employ and pay  
 23405 teachers, furnish all necessary materials and subsistence for pu-  
 23406 pils, of sufficient capacity to accommodate all the children be-  
 23407 longing to said confederate bands, of suitable age and condition  
 23408 to attend said school.

23409 5th. To employ and pay for the services of a carpenter and  
 23410 joiner for the term of ten years, to aid in erecting buildings and  
 23411 making furniture for said Indians, and to furnish tools for use  
 23412 in said service.

23413 6th. To employ and pay for the services of an additional  
23414 farmer for the term of five years.

23415 ARTICLE 3. In consequence of the existence of hostilities  
23416 between the whites and a portion of the Indian tribes in South-  
23417 ern Oregon and Northern California, and the proximity of the  
23418 Umpaquah reservation to the mining district, and the consequent  
23419 fluctuating and transient population, and the frequent commis-  
23420 sion by whites and Indians of petty offences, calculated to dis-  
23421 turb the peace and harmony of the settlement, it is hereby  
23422 agreed, the Umpaquahs and Calapooias agreeing, that the bands  
23423 thus confederated shall immediately remove to a tract of land  
23424 selected on the head-waters of the Yamhill River adjoining the  
23425 coast reservation, thereon to remain until the proper improve-  
23426 ments are made upon that reservation for the accommodation  
23427 of said confederate bands, in accordance with the provisions of  
23428 this and the treaty of 29th November, 1854, and when so made,  
23429 to remove to said coast reservation, or such other point as may, by  
23430 direction of the President of the United States, be designated  
23431 for the permanent residence of said Indians.

23432 ARTICLE 4. For the purpose of carrying out in good faith  
23433 the objects expressed in the preceding article, it is hereby  
23434 agreed, on the part of the United States, that the entire expense  
23435 attending the removal of the bands named, including transpor-  
23436 tation and subsistence, and the erection of temporary buildings  
23437 at the encampment designated, as well as medical attendance  
23438 on the sick, shall be paid by the United States.

23439 ARTICLE 5. It is further agreed that rations, according to  
23440 the Army regulations, shall be furnished the members of the said  
23441 confederated bands, and distributed to the heads of families,  
23442 from the time of their arrival at the encampment on the head-  
23443 waters of Yamhill River until six months after their arrival at  
23444 the point selected as their permanent residence.

23445 ARTICLE 6. For the purpose of insuring the means of sub-  
23446 sistence for said Indians, the United States engage to appropri-  
23447 ate the sum of twelve thousand dollars for the extinguishment  
23448 of title and the payment of improvements made thereon by white  
23449 settlers to lands in the Grand Round Valley, the point of en-  
23450 campment referred to, to be used as wheat-farms, or other pur-  
23451 poses, for the benefit of said Indians, and for the erection of  
23452 buildings upon the reservation, opening farms, purchasing of  
23453 teams, tools, and stock ; the expenditure of which amounts, and  
23454 the direction of all the provisions of this convention, shall be in  
23455 accordance with the spirit and meaning of the treaty of 29th  
23456 November, 1854, with the Umpaquah and Calapooia tribes afore-  
23457 said.

23458 Proclaimed April 27, 1859.

23460 *Treaty between the United States of America and the Navajo tribe*  
 23461 *of Indians.*

23462       The following acknowledgements, declarations, and stipu-  
 23463 lations have been duly considered, and are now solemnly adopt-  
 23464 ed and proclaimed by the undersigned; that is to say, John M.  
 23465 Washington, governor of New Mexico, and lieutenant-colonel  
 23466 commanding the troops of the United States in New Mexico,  
 23467 and James S. Calhoun, Indian agent, residing at Santa Fé, in  
 23468 New Mexico, representing the United States of America, and  
 23469 Mariano Martinez, head chief, and Chapitone, second chief, on  
 23470 the part of the Navajo tribe of Indians:

23471       I. The said Indians do hereby acknowledge that, by virtue  
 23472 of a treaty entered into by the United States of America and  
 23473 the United Mexican States, signed on the second day of Febru-  
 23474 ary, in the year of our Lord eighteen hundred and forty-eight,  
 23475 at the city of Guadalupe Hidalgo, by N. P. Trist, of the first  
 23476 part, and Luis G. Cuevas, Bernardo Couto, and Mgl Atristain,  
 23477 of the second part, the said tribe was lawfully placed under the  
 23478 exclusive jurisdiction and protection of the Government of the  
 23479 said United States, and that they are now, and will forever re-  
 23480 main, under the aforesaid jurisdiction and protection.

23481       II. That from and after the signing of this treaty, hostilities  
 23482 between the contracting parties shall cease, and perpetual peace  
 23483 and friendship shall exist; the said tribe hereby solemnly cove-  
 23484 nanting that they will not associate with, or give countenance  
 23485 or aid to, any tribe or band of Indians, or other persons or pow-  
 23486 ers, who may be at any time at enmity with the people of the  
 23487 said United States; that they will remain at peace, and treat  
 23488 honestly and humanely all persons and powers at peace with  
 23489 the said States; and all cases of aggression against said  
 23490 Navajoes by citizens or others of the United States, or by other  
 23491 persons or powers in amity with the said States, shall be re-  
 23492 ferred to the Government of said States for adjustment and set-  
 23493 tlement.

23494       III. The Government of the said States having the sole and  
 23495 exclusive right of regulating the trade and intercourse with the  
 23496 said Navajoes, it is agreed that the laws now in force regulating  
 23497 the trade and intercourse, and for the preservation of peace  
 23498 with the various tribes of Indians under the protection and  
 23499 guardianship of the aforesaid Government, shall have the same  
 23500 force and efficiency, and shall be as binding and as obligatory  
 23501 upon the said Navajoes, and executed in the same manner, as

23502 if said laws had been passed for their sole benefit and protec-  
 23503 tion; and to this end, and for all other useful purposes, the gov-  
 23504 ernment of New Mexico, as now organized, or as it may be by  
 23505 the Government of the United States, or by the legally consti-  
 23506 tuted authorities of the people of New Mexico, is recognized  
 23507 and acknowledged by the said Navajoes, and for the due en-  
 23508 forcement of the aforesaid laws, until the Government of the  
 23509 United States shall otherwise order, the territory of the Nava-  
 23510 joes is hereby annexed to New Mexico.

23511 IV. The Navajo Indians hereby bind themselves to deliver  
 23512 to the military authority of the United States in New Mexico, at  
 23513 Santa Fé, New Mexico, as soon as he or they can be appre-  
 23514 hended, the murderer or murderers of Micente Garcia, that said  
 23515 fugitive or fugitives from justice may be dealt with as justice  
 23516 may decree.

23517 V. All American and Mexican captives, and all stolen property  
 23518 taken from Americans or Mexicans, or other persons or powers  
 23519 in amity with the United States, shall be delivered by the Navajo  
 23520 Indians to the aforesaid military authority at Jemez, New Mexico,  
 23521 on or before the 9th day of October next ensuing, that justice  
 23522 may be meted out to all whom it may concern; and also all In-  
 23523 dian captives and stolen property of such tribe or tribes of  
 23524 Indians as shall enter into a similar reciprocal treaty, shall, in  
 23525 like manner, and for the same purposes, be turned over to an  
 23526 authorized officer or agent of the said States by the aforesaid  
 23527 Navajoes.

23528 VI. Should any citizen of the United States, or other per-  
 23529 son or persons subject to the laws of the United States, murder,  
 23530 rob, or otherwise maltreat any Navajo Indian or Indians, he or  
 23531 they shall be arrested and tried, and upon conviction shall be  
 23532 subjected to all the penalties provided by law for the protec-  
 23533 tion of the persons and property of the people of the said States.

23534 VII. The people of the United States of America shall have  
 23535 free and safe passage through the territory of the aforesaid In-  
 23536 dians, under such rules and regulations as may be adopted by  
 23537 authority of the said States.

23538 VIII. In order to preserve tranquility, and to afford pro-  
 23539 tection to all the people and interests of the contracting parties,  
 23540 the Government of the United States of America will establish  
 23541 such military posts and agencies, and authorize such trading-  
 23542 houses, at such time and in such places, as the said Government  
 23543 may designate.

23544 IX. Relying confidently upon the justice and the liberality  
 23545 of the aforesaid Government, and anxious to remove every possi-  
 23546 ble cause that might disturb their peace and quiet, it is agreed  
 23547 by the aforesaid Navajoes that the Government of the United

23548 States shall, at its earliest convenience, designate, settle, and  
 23549 adjust their territorial boundaries, and pass and execute in their  
 23550 territory such laws as may be deemed conducive to the prosperity  
 23551 and happiness of said Indians.

23552 X. For and in consideration of the faithful performance of  
 23553 all the stipulations herein contained by the said Navajo Indians,  
 23554 the Government of the United States will grant to said Indians  
 23555 such donations, presents, and implements, and adopt such other  
 23556 liberal and humane measures, as said Government may deem  
 23557 meet and proper.

23558 XI. This treaty shall be binding upon the contracting parties  
 23559 from and after the signing of the same, subject only to such  
 23560 modifications and amendments as may be adopted by the Government  
 23561 of the United States; and, finally, this treaty is to  
 23562 receive a liberal construction, at all times and in all places, to  
 23563 the end that the said Navajo Indians shall not be held responsible  
 23564 for the conduct of others, and that the Government of the  
 23565 United States shall so legislate and act as to secure the permanent  
 23566 prosperity and happiness of said Indians.

23567 Proclaimed September 24, 1850.

23568 *Treaty between the United States of America and the Navajo tribe*  
 23569 *of Indians, concluded June 1, 1868; ratification advised July*  
 23570 *25, 1868.*

23571 ANDREW JOHNSON, President of the United States of America,  
 23572 to all and singular to whom these presents shall come, greeting:  
 23573

23574 Whereas a treaty was made and concluded at Fort Sumner,  
 23575 in the Territory of New Mexico, on the first day of June, in the  
 23576 year of our Lord one thousand eight hundred and sixty-eight,  
 23577 by and between Lieutenant-General W. T. Sherman and Samuel  
 23578 F. Tappan, commissioners, on the part of the United States,  
 23579 and Barboncito, Armijo, and other chiefs and head-men of the  
 23580 Navajo tribe of Indians, on the part of said Indians, and duly  
 23581 authorized thereto by them, which treaty is in the words and  
 23582 figures following, to wit:

23583 Articles of a treaty and agreement made and entered into at  
 23584 Fort Sumner, New Mexico, on the first day of June, one  
 23585 thousand eight hundred and sixty-eight, by and between  
 23586 the United States, represented by its commissioners, Lieutenant-General  
 23587 W. T. Sherman and Colonel Samuel F. Tappan, of the one part, and the  
 23588 Navajo Nation or tribe of Indians, represented by their chiefs and head-men,  
 23589 duly authorized and empowered to act for the whole people of said  
 23590

23591 nation or tribe, (the names of said chiefs and head-men being  
23592 hereto subscribed,) of the other part, witness :

23593 ARTICLE 1. From this day forward all war between the  
23594 parties to this agreement shall forever cease. The Government  
23595 of the United States desires peace, and its honor is hereby  
23596 pledged to keep it. The Indians desire peace, and they now  
23597 pledge their honor to keep it.

23598 If bad men among the whites, or among other people sub-  
23599 ject to the authority of the United States, shall commit any  
23600 wrong upon the person or property of the Indians, the United  
23601 States will, upon proof made to the agent and forwarded to the  
23602 Commissioner of Indian Affairs at Washington City, proceed at  
23603 once to cause the offender to be arrested and punished accord-  
23604 ing to the laws of the United States, and also to reimburse the  
23605 injured persons for the loss sustained.

23606 If bad men among the Indians shall commit a wrong or dep-  
23607 redation upon the person or property of any one, white, black,  
23608 or Indian, subject to the authority of the United States and at  
23609 peace therewith, the Navajo tribe agree that they will, on proof  
23610 made to their agent, and on notice by him, deliver up the wrong-  
23611 doer to the United States, to be tried and punished according  
23612 to its laws; and in case they wilfully refuse so to do, the per-  
23613 son injured shall be reimbursed for his loss from the annuities  
23614 or other moneys due or to become due to them under this treaty,  
23615 or any others that may be made with the United States. And  
23616 the President may prescribe such rules and regulations for as-  
23617 certaining damages under this article as in his judgment may  
23618 be proper; but no such damage shall be adjusted and paid until  
23619 examined and passed upon by the Commissioner of Indian Affairs,  
23620 and no one sustaining loss whilst violating, or because of his  
23621 violating, the provisions of this treaty or the laws of the United  
23622 States, shall be reimbursed therefor.

23623 ARTICLE 2. The United States agrees that the following  
23624 district of country, to wit: bounded on the north by the 37th  
23625 degree of north latitude, south by an east and west line passing  
23626 through the site of old Fort Defiance, in Cañon Bonito, east by  
23627 the parallel of longitude which, if prolonged south, would pass  
23628 through old Fort Lyon, or the Ojo-de-oso, Bear Spring, and  
23629 west by a parallel of longitude about 109° 30' west of Green-  
23630 wich, provided it embraces the outlet of the Cañon-de-Chilly,  
23631 which cañon is to be all included in this reservation, shall be,  
23632 and the same is hereby, set apart for the use and occupation of  
23633 the Navajo tribe of Indians, and for such other friendly tribes  
23634 or individual Indians as from time to time they may be willing,  
23635 with the consent of the United States, to admit among them;  
23636 and the United States agrees that no persons except those

23637 herein so authorized to do, and except such officers, soldiers,  
 23638 agents, and employés of the Government, or of the Indians, as  
 23639 may be authorized to enter upon Indian reservations in discharge  
 23640 of duties imposed by law, or the orders of the President, shall  
 23641 ever be permitted to pass over, settle upon, or reside in, the ter-  
 23642 ritory described in this article.

23643 ARTICLE 3. The United States agrees to cause to be built,  
 23644 at some point within said reservation, where timber and water  
 23645 may be convenient, the following buildings: a warehouse, to  
 23646 cost not exceeding twenty-five hundred dollars; an agency  
 23647 building for the residence of the agent, not to cost exceeding  
 23648 three thousand dollars; a carpenter-shop and blacksmith-shop,  
 23649 not to cost exceeding one thousand dollars each; and a school-  
 23650 house and chapel, so soon as a sufficient number of children  
 23651 can be induced to attend school, which shall not cost to exceed  
 23652 five thousand dollars.

23653 ARTICLE 4. The United States agrees that the agent for  
 23654 the Navajos shall make his home at the agency building; that  
 23655 he shall reside among them, and shall keep an office open at all  
 23656 times for the purpose of prompt and diligent inquiry into such  
 23657 matters of complaint by or against the Indians as may be pre-  
 23658 sented for investigation, as also for the faithful discharge of  
 23659 other duties enjoined by law. In all cases of depredation on  
 23660 person or property he shall cause the evidence to be taken in  
 23661 writing and forwarded, together with his finding, to the Com-  
 23662 missioner of Indian Affairs, whose decision shall be binding on  
 23663 the parties to this treaty.

23664 ARTICLE 5. If any individual belonging to said tribe, or le-  
 23665 gally incorporated with it, being the head of a family, shall desire  
 23666 to commence farming, he shall have the privilege to select, in the  
 23667 presence and with the assistance of the agent then in charge, a  
 23668 tract of land within said reservation, not exceeding one hun-  
 23669 dred and sixty acres in extent, which tract, when so selected,  
 23670 certified, and recorded in the "land-book" as herein described,  
 23671 shall cease to be held in common, but the same may be occupied  
 23672 and held in the exclusive possession of the person selecting it,  
 23673 and of his family, so long as he or they may continue to culti-  
 23674 vate it.

23675 Any person over eighteen years of age, not being the head  
 23676 of a family, may in like manner select, and cause to be certified  
 23677 to him or her for purposes of cultivation, a quantity of land,  
 23678 not exceeding eighty acres in extent, and thereupon be entitled  
 23679 to the exclusive possession of the same as above directed.

23680 For each tract of land so selected a certificate containing a  
 23681 description thereof, and the name of the person selecting it,  
 23682 with a certificate endorsed thereon that the same has been re-

23683 corded, shall be delivered to the party entitled to it by the  
 23684 agent, after the same shall have been recorded by him in a book  
 23685 to be kept in his office, subject to inspection, which said book  
 23686 shall be known as the "Navajo land-book."

23687 The President may at any time order a survey of the reser-  
 23688 vation, and when so surveyed, Congress shall provide for pro-  
 23689 tecting the rights of said settlers in their improvements, and  
 23690 may fix the character of the title held by each.

23691 The United States may pass such laws on the subject of  
 23692 alienation and descent of property between the Indians and  
 23693 their descendants as may be thought proper.

23694 ARTICLE 6. In order to insure the civilization of the Indians  
 23695 entering into this treaty, the necessity of education is admitted,  
 23696 especially of such of them as may be settled on said agricul-  
 23697 tural parts of this reservation, and they therefore pledge them-  
 23698 selves to compel their children, male and female, between the  
 23699 ages of six and sixteen years, to attend school; and it is hereby  
 23700 made the duty of the agent for said Indians to see that this  
 23701 stipulation is strictly complied with; and the United States  
 23702 agrees that for every thirty children between said ages, who  
 23703 can be induced or compelled to attend school, a house shall be  
 23704 provided, and a teacher competent to teach the elementary  
 23705 branches of an English education shall be furnished, who shall  
 23706 reside among said Indians and faithfully discharge his or her  
 23707 duties as a teacher.

23708 The provisions of this article to continue for not less than  
 23709 ten years.

23710 ARTICLE 7. When the head of a family shall have selected  
 23711 lands and received his certificate as above directed, and the  
 23712 agent shall be satisfied that he intends in good faith to com-  
 23713 mence cultivating the soil for a living, he shall be entitled  
 23714 to receive seeds and agricultural implements for the first year,  
 23715 not exceeding in value one hundred dollars, and for each suc-  
 23716 ceeding year he shall continue to farm, for a period of two years,  
 23717 he shall be entitled to receive seeds and implements to the  
 23718 value of twenty-five dollars.

23719 ARTICLE 8. In lieu of all sums of money or other annui-  
 23720 ties provided to be paid to the Indians herein named, under  
 23721 any treaty or treaties heretofore made, the United States agrees  
 23722 to deliver at the agency-house on the reservation herein named,  
 23723 on the first day of September of each year for ten years, the  
 23724 following articles, to wit:

23725 Such articles of clothing, goods, or raw materials in lieu  
 23726 thereof as the agent may make his estimate for, not exceeding  
 23727 in value five dollars per Indian—each Indian being encouraged  
 23728 to manufacture their own clothing, blankets, &c.; to be fur-

23729 nished with no article which they can manufacture themselves.  
 23730 And, in order that the Commissioner of Indian Affairs may be  
 23731 able to estimate properly for the articles herein named, it shall  
 23732 be the duty of the agent each year to forward to him a full and  
 23733 exact census of the Indians, on which the estimate from year to  
 23734 year can be based.

23735 And in addition to the articles herein named, the sum of  
 23736 ten dollars for each person entitled to the beneficial effects of  
 23737 this treaty shall be annually appropriated for a period of ten  
 23738 years, for each person who engages in farming or mechanical  
 23739 pursuits, to be used by the Commissioner of Indian Affairs in  
 23740 the purchase of such articles as from time to time the condition  
 23741 and necessities of the Indians may indicate to be proper; and if  
 23742 within the ten years at any time it shall appear that the amount  
 23743 of money needed for clothing, under the article, can be appro-  
 23744 priated to better uses for the Indians named herein, the Com-  
 23745 missioner of Indian Affairs may change the appropriation to  
 23746 other purposes, but in no event shall the amount of this appro-  
 23747 priation be withdrawn or discontinued for the period named,  
 23748 provided they remain at peace. And the President shall annu-  
 23749 ally detail an officer of the Army to be present and attest the  
 23750 delivery of all the goods herein named to the Indians, and he  
 23751 shall inspect and report on the quantity and quality of the  
 23752 goods and the manner of their delivery.

23753 ARTICLE 9. In consideration of the advantages and bene-  
 23754 fits conferred by this treaty, and the many pledges of friendship  
 23755 by the United States, the tribes who are parties to this agree-  
 23756 ment hereby stipulate that they will relinquish all right to occupy  
 23757 any territory outside their reservation, as herein defined, but  
 23758 retain the right to hunt on any unoccupied lands contiguous to  
 23759 their reservation, so long as the large game may range thereon  
 23760 in such numbers as to justify the chase; and they, the said  
 23761 Indians, further expressly agree:

23762 1st. That they will make no opposition to the construction  
 23763 of railroads now being built or hereafter to be built across the  
 23764 continent.

23765 2d. That they will not interfere with the peaceful construc-  
 23766 tion of any railroad not passing over their reservation as herein  
 23767 defined.

23768 3d. That they will not attack any persons at home or travel-  
 23769 ling, nor molest or disturb any wagon-trains, coaches, mules, or  
 23770 cattle belonging to the people of the United States, or to persons  
 23771 friendly therewith.

23772 4th. That they will never capture or carry off from the  
 23773 settlements women or children.

23774 5th. They will never kill or scalp white men, nor attempt to  
23775 do them harm.

23776 6th. They will not in future oppose the construction of rail-  
23777 roads, wagon-roads, mail stations, or other works of utility or  
23778 necessity which may be ordered or permitted by the laws of the  
23779 United States; but should such roads or other works be con-  
23780 structed on the lands of their reservation, the Government will  
23781 pay the tribe whatever amount of damage may be assessed by  
23782 three disinterested commissioners to be appointed by the Presi-  
23783 dent for that purpose, one of said commissioners to be a chief or  
23784 head-man of the tribe.

23785 7th. They will make no opposition to the military posts or  
23786 roads now established, or that may be established, not in viola-  
23787 tion of treaties heretofore made or hereafter to be made with  
23788 any of the Indian tribes.

23789 ARTICLE 10. No future treaty for the cession of any portion  
23790 or part of the reservation herein described, which may be held  
23791 in common, shall be of any validity or force against said Indians  
23792 unless agreed to and executed by at least three-fourths of all  
23793 the adult male Indians occupying or interested in the same; and  
23794 no cession by the tribe shall be understood or construed in such  
23795 manner as to deprive, without his consent, any individual mem-  
23796 ber of the tribe of his rights to any tract of land selected by him  
23797 as provided in article 5 of this treaty.

23798 ARTICLE 11. The Navajos also hereby agree that at any  
23799 time after the signing of these presents they will proceed in such  
23800 manner as may be required of them by the agent, or by the officer  
23801 charged with their removal, to the reservation herein provided  
23802 for, the United States paying for their subsistence en route,  
23803 and providing a reasonable amount of transportation for the sick  
23804 and feeble.

23805 ARTICLE 12. It is further agreed by and between the parties  
23806 to this agreement that the sum of one hundred and fifty thou-  
23807 sand dollars appropriated, or to be appropriated, shall be dis-  
23808 bursed as follows, subject to any condition provided in the law,  
23809 to wit:

23810 1st. The actual cost of the removal of the tribe from the  
23811 Bosque Redondo reservation to the reservation, say fifty thou-  
23812 sand dollars.

23813 2d. The purchase of fifteen thousand sheep and goats, at a  
23814 cost not to exceed thirty thousand dollars.

23815 3d. The purchase of five hundred beef cattle and a million  
23816 pounds of corn, to be collected and held at the military post  
23817 nearest the reservation, subject to the orders of the agent, for  
23818 the relief of the needy during the coming winter.

23819 4th. The balance, if any, of the appropriation to be invested

23820 for the maintenance of the Indians pending their removal, in  
23821 such manner as the agent who is with them may determine.

23822 5th. The removal of this tribe to be made under the supreme  
23823 control and direction of the military commander of the Terri-  
23824 tory of New Mexico, and when completed, the management of  
23825 the tribe to revert to the proper agent.

23826 ARTICLE 13. The tribe herein named, by their representa-  
23827 tives, parties to this treaty, agree to make the reservation herein  
23828 described their permanent home, and they will not as a tribe  
23829 make any permanent settlement elsewhere, reserving the right  
23830 to hunt on the lands adjoining the said reservation formerly  
23831 called theirs, subject to the modifications named in this treaty  
23832 and the orders of the commander of the department in which  
23833 said reservation may be, for the time being; and it is further  
23834 agreed and understood by the parties to this treaty, that if any  
23835 Navajo Indian or Indians shall leave the reservation herein  
23836 described, to settle elsewhere, he or they shall forfeit all the  
23837 rights, privileges, and annuities conferred by the terms of this  
23838 treaty; and it is further agreed by the parties to this treaty, that  
23839 they will do all they can to induce Indians now away from reser-  
23840 vations set apart for the exclusive use and occupation of the In-  
23841 dians, leading a nomadic life, or engaged in war against the  
23842 people of the United States, to abandon such a life and settle  
23843 permanently in one of the territorial reservations set apart for  
23844 the exclusive use and occupation of the Indians.

23845 Proclaimed August 12, 1818.

23846

#### NEZ PERCÉS.

23847 *Treaty between the United States of America and the Nez Percé*  
23848 *Indians, concluded at Camp Stevens, in the Walla-Walla*  
23849 *Valley, June 11, 1855; ratified by the Senate March 8, 1859.*

23850 JAMES BUCHANAN, President of the United States of America,  
23851 to all and singular to whom these presents shall come, greet-  
23852 ing:

23853 Whereas a treaty was made and concluded at the treaty-  
23854 ground, Camp Stevens, in the Walla-Walla Valley, on the eleventh  
23855 day of June, one thousand eight hundred and fifty-five, between  
23856 Isaac I. Stevens, governor and superintendent of Indian affairs  
23857 for the Territory of Washington, and Joel Palmer, superintend-  
23858 ent of Indian affairs for Oregon Territory, on the part of the  
23859 United States, and the hereinafter-named chiefs, head-men, and  
23860 delegates of the Nez Percé tribe of Indians occupying lands lying

23861 partly in Oregon and partly in Washington Territory, between  
 23862 the Cascade and the Bitter Root Mountains, on behalf of and  
 23863 duly authorized by said tribe, which said treaty is in the words  
 23864 and figures following, to wit:

23865 Articles of agreement and convention made and concluded at  
 23866 the treaty ground, Camp Stevens, in the Walla-Walla Valley,  
 23867 this eleventh day of June, in the year one thousand eight  
 23868 hundred and fifty-five, by and between Isaac I. Stevens,  
 23869 governor and superintendent of Indian affairs for the Ter-  
 23870 ritory of Washington, and Joel Palmer, superintendent of  
 23871 Indian affairs for Oregon Territory, on the part of the United  
 23872 States, and the undersigned chiefs, head-men, and delegates of  
 23873 the Nez Percé tribe of Indians occupying lands lying partly  
 23874 in Oregon and partly in Washington Territories, between  
 23875 the Cascade and Bitter Root Mountains, on behalf of and  
 23876 acting for said tribe, and being duly authorized thereto by  
 23877 them, it being understood that Superintendent Isaac I.  
 23878 Stevens assumes to treat only with those of the above-  
 23879 named tribe of Indians residing within the Territory of  
 23880 Washington, and Superintendent Palmer with those resid-  
 23881 ing exclusively in Oregon Territory.

23882 ARTICLE 1. The said Nez Percé tribe of Indians hereby  
 23883 cede relinquish, and convey to the United States all their right,  
 23884 title, and interest in and to the country occupied or claimed by  
 23885 them, bounded and described as follows, to wit: Commencing at  
 23886 the source of the Wo-na-ne-she or southern tributary of the Pa-  
 23887 louse River; thence down that river to the main Palouse; thence  
 23888 in a southerly direction to the Snake River, at the mouth of the  
 23889 Tucanon River; thence up the Tucanon to its source in the Blue  
 23890 Mountains; thence southerly along the ridge of the Blue Mount-  
 23891 ains; thence to a point on Grand Ronde River, midway between  
 23892 Grand Ronde and the mouth of the Woll-low-how River; thence  
 23893 along the divide between the waters of the Woll-low-how and  
 23894 Powder River; thence to the crossing of Snake River, at the  
 23895 mouth of Powder River; thence to the Salmon River, fifty miles  
 23896 above the place known [as] the "crossing of the Salmon River;"  
 23897 thence due north to the summit of the Bitter Root Mountains;  
 23898 thence along the crest of the Bitter Root Mountains to the place  
 23899 of beginning.

23900 ARTICLE 2. There is, however, reserved from the lands  
 23901 above ceded for the use and occupation of the said tribe, and as  
 23902 a general reservation for other friendly tribes and bands of In-  
 23903 dians in Washington Territory, not to exceed the present num-  
 23904 bers of the Spokane, Walla-Walla, Cayuse, and Umatilla tribes  
 23905 and bands of Indians, the tract of land included within the fol-  
 23906 lowing boundaries, to wit: Commencing where the Moh-ha-na-

23907 she or southern tributary of the Palouse River flows from the  
 23908 spurs of the Bitter Root Mountains; thence down said tributary  
 23909 to the mouth of the Ti-nat-pan-up Creek; thence southerly to  
 23910 the crossing of the Snake River, ten miles below the mouth of  
 23911 the Al-po-wa-wi River; thence to the source of the Al-po-wa-wi  
 23912 River in the Blue Mountains; thence along the crest of the Blue  
 23913 Mountains; thence to the crossing of the Grand Ronde River,  
 23914 midway between the Grand Ronde and the mouth of the Woll-  
 23915 low-how River; thence along the divide between the waters of  
 23916 the Woll-low-how and Powder Rivers; thence to the crossing of  
 23917 the Snake River, fifteen miles below the mouth of the Powder  
 23918 River; thence to the Salmon River above the crossing; thence,  
 23919 by the spurs of the Bitter Root Mountains, to the place of be-  
 23920 ginning.

23921 All which tract shall be set apart, and, so far as necessary,  
 23922 surveyed and marked out for the exclusive use and benefit of  
 23923 said tribe as an Indian reservation; nor shall any white man,  
 23924 excepting those in the employment of the Indian Department,  
 23925 be permitted to reside upon the said reservation without permis-  
 23926 sion of the tribe and the superintendent and agent; and the said  
 23927 tribe agrees to remove to and settle upon the same within one  
 23928 year after the ratification of this treaty. In the mean time it  
 23929 shall be lawful for them to reside upon any ground not in the  
 23930 actual claim and occupation of citizens of the United States,  
 23931 and upon any ground claimed or occupied, if with the permission  
 23932 of the owner or claimant, guarantying, however, the right to all  
 23933 citizens of the United States to enter upon and occupy as settlers  
 23934 any lands not actually occupied and cultivated by said Indians  
 23935 at this time, and not included in the reservation above named.  
 23936 And provided that any substantial improvement heretofore  
 23937 made by any Indian, such as fields enclosed and cultivated, and  
 23938 houses erected upon the lands hereby ceded, and which he may  
 23939 be compelled to abandon in consequence of this treaty, shall be  
 23940 valued under the direction of the President of the United States,  
 23941 and payment made therefor in money, or improvements of an  
 23942 equal value be made for said Indian upon the reservation, and  
 23943 no Indian will be required to abandon the improvements afore-  
 23944 said, now occupied by him, until their value in money or im-  
 23945 provements of equal value shall be furnished him as aforesaid.

23946 ARTICLE 3. And provided that, if necessary for the public  
 23947 convenience, roads may be run through the said reservation,  
 23948 and, on the other hand, the right of way, with free access from  
 23949 the same to the nearest public highway, is secured to them, as  
 23950 also the right, in common with citizens of the United States, to  
 23951 travel upon all public highways. The use of the Clear Water  
 23952 and other streams flowing through the reservation is also se-

23953 cured to citizens of the United States for rafting purposes, and  
 23954 as public highways.

23955 The exclusive right of taking fish in all the streams where  
 23956 running through or bordering said reservation is further secured  
 23957 to said Indians; as also the right of taking fish at all usual and  
 23958 accustomed places in common with citizens of the Territory;  
 23959 and of erecting temporary buildings for curing, together with  
 23960 the privilege of hunting, gathering roots and berries, and pas-  
 23961 turing their horses and cattle upon open and unclaimed land.

23962 ARTICLE 4. In consideration of the above cession, the  
 23963 United States agree to pay to the said tribe, in addition to the  
 23964 goods and provisions distributed to them at the time of signing  
 23965 this treaty, the sum of two hundred thousand dollars, in the  
 23966 following manner, that is to say, sixty thousand dollars, to be  
 23967 expended under the direction of the President of the United  
 23968 States, the first year after the ratification of this treaty, in pro-  
 23969 viding for their removal to the reserve, breaking up and fenc-  
 23970 ing farms, building houses, supplying them with provisions and  
 23971 a suitable outfit, and for such other objects as he may deem  
 23972 necessary, and the remainder in annuities, as follows: for the  
 23973 first five years after the ratification of this treaty, ten thousand  
 23974 dollars each year commencing September 1, 1856; for the next  
 23975 five years, eight thousand dollars each year; for the next five  
 23976 years, six thousand each year, and for the next five years, four  
 23977 thousand dollars each year.

23978 All which said sums of money shall be applied to the use and  
 23979 benefit of the said Indians, under the direction of the President  
 23980 of the United States, who may, from time to time, determine,  
 23981 at his discretion, upon what beneficial objects to expend the  
 23982 same for them. And the superintendent of Indian affairs, or  
 23983 other proper officer, shall each year inform the President of the  
 23984 wishes of the Indians in relation thereto.

23985 ARTICLE 5. The United States further agree to establish,  
 23986 at suitable points within said reservation, within one year after  
 23987 the ratification hereof, two schools, erecting the necessary build-  
 23988 ings, keeping the same in repair, and providing them with furni-  
 23989 ture, books, and stationery, one of which shall be an agricul-  
 23990 tural and industrial school, to be located at the agency, and to  
 23991 be free to the children of said tribe, and to employ one superintend-  
 23992 ent of teaching and two teachers; to build two blacksmiths' shops,  
 23993 to one of which shall be attached a tin-shop and to the other a  
 23994 gunsmith's shop; one carpenter's shop, one wagon and plough  
 23995 maker's shop, and to keep the same in repair, and furnished  
 23996 with the necessary tools; to employ one superintendent of farm-  
 23997 ing and two farmers, two blacksmiths, one tinner, one gunsmith,  
 23998 one carpenter, one wagon and plough maker, for the instruction

23999 of the Indians in trades, and to assist them in the same; to  
 24000 erect one saw-mill and one flouring-mill, keeping the same in  
 24001 repair, and furnished with the necessary tools and fixtures, and  
 24002 to employ two millers; to erect a hospital, keeping the same in  
 24003 repair, and provided with the necessary medicines and furniture,  
 24004 and to employ a physician; and to erect, keep in repair, and  
 24005 provide with the necessary furniture the buildings required for  
 24006 the accommodation of the said employees. The said buildings  
 24007 and establishments to be maintained and kept in repair as  
 24008 aforesaid, and the employees to be kept in service for the period  
 24009 of twenty years.

24010 And in view of the fact that the head chief of the tribe is  
 24011 expected, and will be called upon, to perform many services of  
 24012 a public character, occupying much of his time, the United  
 24013 States further agrees to pay to the Nez Percé tribe five hundred  
 24014 dollars per year, for the term of twenty years after the ratifica-  
 24015 tion hereof, as a salary for such person as the tribe may select  
 24016 to be its head chief; to build for him, at a suitable point on  
 24017 the reservation, a comfortable house, and properly furnish the  
 24018 same, and to plough and fence for his use ten acres of land.  
 24019 The said salary to be paid to, and the said house to be occupied  
 24020 by, such head chief so long as he may be elected to that position  
 24021 by his tribe, and no longer.

24022 And all the expenditures and expenses contemplated in this  
 24023 fifth article of this treaty shall be defrayed by the United States,  
 24024 and shall not be deducted from the annuities agreed to be paid  
 24025 to said tribe, nor shall the cost of transporting the goods for  
 24026 the annuity-payments be a charge upon the annuities, but shall  
 24027 be defrayed by the United States.

24028 ARTICLE 6. The President may, from time to time, at his  
 24029 discretion, cause the whole, or such portions of such reservation  
 24030 as he may think proper, to be surveyed into lots, and assign the  
 24031 same to such individuals or families of the said tribe as are  
 24032 willing to avail themselves of the privilege, and will locate on  
 24033 the same as a permanent home, on the same terms and subject  
 24034 to the same regulations as are provided in the sixth article of  
 24035 the treaty with the Omahas in the year 1854, so far as the same  
 24036 may be applicable.

24037 ARTICLE 7. The annuities of the aforesaid tribe shall not  
 24038 be taken to pay the debts of individuals.

24039 ARTICLE 8. The aforesaid tribe acknowledge their depend-  
 24040 ence upon the Government of the United States, and promise  
 24041 to be friendly with all citizens thereof, and pledge themselves to  
 24042 commit no depredations on the property of such citizens; and  
 24043 should any one or more of them violate this pledge, and the fact  
 24044 be satisfactorily proved before the agent, the property taken

24045 shall be returned, or in default thereof, or if injured or destroyed,  
 24046 compensation may be made by the Government out of the an-  
 24047 nuities. Nor will they make war on any other tribe, except in  
 24048 self-defence, but will submit all matters of difference between  
 24049 them and the other Indians to the Government of the United  
 24050 States, or its agent, for decision, and abide thereby; and if any  
 24051 of the said Indians commit any depredations on any other In-  
 24052 dians within the Territory of Washington, the same rule shall  
 24053 prevail as that prescribed in this article in cases of depredations  
 24054 against citizens. And the said tribe agrees not to shelter or  
 24055 conceal offenders against the laws of the United States, but to  
 24056 deliver them up to the authorities for trial.

24057 ARTICLE 9. The Nez Percés desire to exclude from their  
 24058 reservation the use of ardent spirits, and to prevent their people  
 24059 from drinking the same; and therefore it is provided that any  
 24060 Indian belonging to said tribe who is guilty of bringing liquor  
 24061 into said reservation, or who drinks liquor, may have his or her  
 24062 proportion of the annuities withheld from him or her for such  
 24063 time as the President may determine.

24064 ARTICLE 10. The Nez Percé Indians having expressed in  
 24065 council a desire that William Craig should continue to live with  
 24066 them, he having uniformly shown himself their friend, it is fur-  
 24067 ther agreed that the tract of land now occupied by him, and  
 24068 described in his notice to the register and receiver of the land-  
 24069 office of the Territory of Washington, on the fourth day of June  
 24070 last, shall not be considered a part of the reservation provided  
 24071 for in this treaty, except that it shall be subject, in common  
 24072 with the lands of the reservation, to the operations of the inter-  
 24073 course act.

24074 ARTICLE 11. This treaty shall be obligatory upon the con-  
 24075 tracting parties as soon as the same shall be ratified by the  
 24076 President and Senate of the United States.

24077 Proclaimed April 29, 1859.

24078 *Treaty between the United States of America and the Nez Percé*  
 24079 *tribe of Indians, concluded June 9, 1863; ratification ad-*  
 24080 *vised, April 17, 1867.*

24081 ANDREW JOHNSON, President of the United States of America,  
 24082 to all and singular to whom these presents shall come,  
 24083 greeting:

24084 Whereas a treaty was made and concluded at the council-  
 24085 ground, in the valley of the Lapwai, in the Territory of Wash-  
 24086 ington, on the ninth day of June, in the year of our Lord one  
 24087 thousand eight hundred and sixty-three, by and between Calvin  
 24088 H. Hale, Charles Hutchins, and S. D. Howe, commissioners, on

24089 the part of the United States, and Lawyer, Ute-sin-male-e-cum,  
 24090 Ha-harch-tuesta, and other chiefs and headmen of the Nez  
 24091 Percé tribe of Indians on the part of said Indians, and duly au-  
 24092 thorized thereto by them, which treaty is in the words and fig-  
 24093 ures following, to wit :

24094 *Treaty between the United States of America and the Nez Percé In-*  
 24095 *dians, concluded at the council-ground, in the valley of the*  
 24096 *Lapwai, June ninth, 1863.*

24097 Articles of agreement made and concluded at the council  
 24098 ground, in the valley of the Lapwai, W. T., on the ninth  
 24099 day of June, one thousand eight hundred and sixty-three,  
 24100 between the United States of America, by C. H. Hale, su-  
 24101 perintendent of Indian affairs, and Charles Hutchins and  
 24102 S. D. Howe, U. S. Indian agents for the Territory of Wash-  
 24103 ington, acting on the part and in behalf of the United  
 24104 States, and the Nez Percé Indians, by the chiefs, head-men,  
 24105 and delegates of said tribe, such articles being supplemen-  
 24106 tary and amendatory to the treaty made between the Uni-  
 24107 ted States and said tribe on the 11th day of June, 1855.

24108 ARTICLE 1. The said Nez Percé tribe agree to relinquish,  
 24109 and do hereby relinquish, to the United States the lands here-  
 24110 tofore reserved for the use and occupation of the said tribe, sav-  
 24111 ing and excepting so much thereof as is described in Article II,  
 24112 for a new reservation.

24113 ARTICLE 2. The United States agree to reserve for a home,  
 24114 and for the sole use and occupation of said tribe, the tract of  
 24115 land included within the following boundaries, to wit: Com-  
 24116 mencing at the northeast corner of Lake Wa-ha, and running  
 24117 thence, northerly, to a point on the north bank of the Clearwater  
 24118 River, three miles below the mouth of the Lapwai, thence down  
 24119 the north bank of the Clearwater to the mouth of the Hatwai  
 24120 Creek; thence due north, to a point seven miles distant; thence,  
 24121 eastwardly, to a point on the north fork of the Clearwater, seven  
 24122 miles distant from its mouth; thence to a point on Oro Fino  
 24123 Creek, five miles above its mouth; thence to a point on the  
 24124 north fork of the south fork of the Clearwater, five miles above  
 24125 its mouth; thence to a point on the south fork of the Clear-  
 24126 water, one mile above the bridge, on the road leading to Elk  
 24127 City, (so as to include all the Indian farms now within the  
 24128 forks;) thence in a straight line, westwardly, to the place of  
 24129 beginning.

24130 All of which tract shall be set apart, and the above-  
 24131 described boundaries shall be surveyed and marked out for  
 24132 the exclusive use and benefit of said tribe as an Indian reserva-

24133 tion, nor shall any white man, excepting those in the employ-  
 24134 ment of the Indian Department, be permitted to reside upon  
 24135 the said reservation without permission of the tribe and the  
 24136 superintendent and agent; and the said tribe agrees that so soon  
 24137 after the United States shall make the necessary provision for  
 24138 fulfilling the stipulations of this instrument as they can con-  
 24139 veniently arrange their affairs, and not to exceed one year from  
 24140 its ratification, they will vacate the country hereby relinquished,  
 24141 and remove to and settle upon the lands herein reserved for  
 24142 them, (except as may be hereinafter provided.) In the mean  
 24143 time it shall be lawful for them to reside upon any ground now  
 24144 occupied or under cultivation by said Indians at this time, and  
 24145 not included in the reservation above named. And it is pro-  
 24146 vided that any substantial improvement heretofore made by  
 24147 any Indian, such as fields inclosed and cultivated, or houses  
 24148 erected upon the lands hereby relinquished, and which he may  
 24149 be compelled to abandon in consequence of this treaty, shall be  
 24150 valued under the direction of the President of the United  
 24151 States, and payment therefor shall be made in stock or in im-  
 24152 provements of an equal value for said Indian upon the lot which  
 24153 may be assigned to him within the bounds of the reservation, as  
 24154 he may choose, and no Indian will be required to abandon the  
 24155 improvements aforesaid, now occupied by him, until said pay-  
 24156 ment or improvement shall have been made. And it is further  
 24157 provided, that if any Indian living on any of the land hereby  
 24158 relinquished should prefer to sell his improvements to any white  
 24159 man, being a loyal citizen of the United States, prior to the  
 24160 same being valued as aforesaid, he shall be allowed so to do, but  
 24161 the sale or transfer of said improvements shall be made in the  
 24162 presence of, and with the consent and approval of, the agent or  
 24163 superintendent, by whom a certificate of sale shall be issued to  
 24164 the party purchasing, which shall set forth the amount of the  
 24165 consideration in kind. Before the issue of said certificate, the  
 24166 agent or superintendent shall be satisfied that a valuable con-  
 24167 sideration is paid, and that the party purchasing is of undoubted  
 24168 loyalty to the United States Government. No settlement or  
 24169 claim made upon the improved lands of any Indian will be per-  
 24170 mitted, except as herein provided, prior to the time specified for  
 24171 their removal. Any sale or transfer thus made shall be in the  
 24172 stead of payment for improvements from the United States.

24173 ARTICLE 3. The President shall, immediately after the rati-  
 24174 fication of this treaty, cause the boundary-lines to be surveyed,  
 24175 and properly marked and established; after which, so much of  
 24176 the lands hereby reserved as may be suitable for cultivation  
 24177 shall be surveyed into lots of twenty acres each, and every  
 24178 male person of the tribe who shall have attained the age of

24179 twenty-one years, or is the head of a family, shall have the  
 24180 privilege of locating upon one lot as a permanent home for such  
 24181 person, and the lands so surveyed shall be allotted under such  
 24182 rules and regulations as the President shall prescribe, having  
 24183 such reference to their settlement as may secure adjoining each  
 24184 other the location of the different families pertaining to each  
 24185 band, so far as the same may be practicable. Such rules and  
 24186 regulations shall be prescribed by the President, or under his  
 24187 direction, as will insure to the family, in case of the death of  
 24188 the head thereof, the possession and enjoyment of such perma-  
 24189 nent home, and the improvements thereon. When the assign-  
 24190 ments as above shall have been completed, certificates shall be  
 24191 issued by the Commissioner of Indian Affairs, or under his  
 24192 direction, for the tracts assigned in severalty, specifying the  
 24193 names of the individuals to whom they have been assigned  
 24194 respectively, and that said tracts are set apart for the perpetual  
 24195 and exclusive use and benefit of such assignees and their heirs.  
 24196 Until otherwise provided by law, such tracts shall be exempt  
 24197 from levy, taxation, or sale, and shall be alienable in fee, or  
 24198 leased, or otherwise disposed of, only to the United States, or to  
 24199 persons then being members of the Nez Percé tribe, and of  
 24200 Indian blood, with the permission of the President, and under  
 24201 such regulations as the Secretary of the Interior or the Commis-  
 24202 sioner of Indian Affairs shall prescribe; and if any such person  
 24203 or family shall at any time neglect or refuse to occupy and till a  
 24204 portion of the land so assigned, and on which they have located,  
 24205 or shall rove from place to place, the President may cancel the  
 24206 assignment, and may also withhold from such person or family  
 24207 their proportion of the annuities or other payments due them  
 24208 until they shall have returned to such permanent home, and re-  
 24209 sumed the pursuits of industry; and in default of their return,  
 24210 the tract may be declared abandoned, and thereafter assigned to  
 24211 some other person or family of such tribe. The residue of the  
 24212 land hereby reserved shall be held in common for pasturage for  
 24213 the sole use and benefit of the Indians: *Provided, however,* That  
 24214 from time to time, as members of the tribe may come upon the  
 24215 reservation, or may become of proper age, after the expiration  
 24216 of the time of one year after the ratification of this treaty, as  
 24217 aforesaid, and claim the privileges granted under this article,  
 24218 lots may be assigned from the lands thus held in common, wher-  
 24219 ever the same may be suitable for cultivation. No State or ter-  
 24220 ritorial legislature shall remove the restriction herein provided  
 24221 for without the consent of Congress, and no State or territorial  
 24222 law to that end shall be deemed valid until the same has been  
 24223 specially submitted to Congress for its approval.

24224 ARTICLE 4. In consideration of the relinquishment herein

24225 made the United States agree to pay to the said tribe, in addi-  
 24226 tion to the annuities provided by the treaty of June 11, 1855,  
 24227 (proclaimed April 29, 1859,) and the goods and provisions dis-  
 24228 tributed to them at the time of signing this treaty, the sum of  
 24229 two hundred and sixty-two thousand and five hundred dollars,  
 24230 in manner following, to wit:

24231 First. One hundred and fifty thousand dollars, to enable the  
 24232 Indians to remove and locate upon the reservation, to be expended  
 24233 in the ploughing of land, and the fencing of the several lots  
 24234 which may be assigned to those individual members of the tribe  
 24235 who will accept the same in accordance with the provisions of  
 24236 the preceding article, which said sum shall be divided into four  
 24237 annual instalments, as follows: For the first year after the rati-  
 24238 fication of this treaty, seventy thousand dollars; for the second  
 24239 year, forty thousand dollars; for the third year, twenty-five  
 24240 thousand dollars; for the fourth year, fifteen thousand dollars.

24241 Second. Fifty thousand dollars to be paid the first year  
 24242 after the ratification of this treaty in agricultural implements, to  
 24243 include wagons or carts, harness, and cattle, sheep or other stock,  
 24244 as may be deemed most beneficial by the superintendent of In-  
 24245 dian affairs, or agent, after ascertaining the wishes of the In-  
 24246 dians in relation thereto.

24247 Third. Ten thousand dollars for the erection of a saw and  
 24248 flouring mill, to be located at Kamia, the same to be erected  
 24249 within one year after the ratification hereof.

24250 Fourth. Fifty thousand dollars for the boarding and cloth-  
 24251 ing of the children who shall attend the schools, in accordance  
 24252 with such rules or regulations as the Commissioner of Indian  
 24253 Affairs may prescribe, providing the schools and boarding-houses  
 24254 with necessary furniture, the purchase of necessary wagons,  
 24255 teams, agricultural implements, tools, &c., for their use, and for  
 24256 the fencing of such lands as may be needed for gardening and  
 24257 farming purposes, for the use and benefit of the schools, to be  
 24258 expended as follows: The first year after the ratification of this  
 24259 treaty, six thousand dollars; for the next fourteen years, three  
 24260 thousand dollars each year; and for the succeeding year, being  
 24261 the sixteenth and last instalment, two thousand dollars.

24262 Fifth. A further sum of two thousand five hundred dollars  
 24263 shall be paid within one year after the ratification hereof, to  
 24264 enable the Indians to build two churches, one of which is to be  
 24265 located at some suitable point on the Kamia, and the other on  
 24266 the Lapwai.

24267 ARTICLE 5. The United States further agree, that in addi-  
 24268 tion to a head chief the tribe shall elect two subordinate chiefs,  
 24269 who shall assist him in the performance of his public services,  
 24270 and each subordinate chief shall have the same amount of land

24271 ploughed and fenced, with comfortable house and necessary fur-  
 24272 niture, and to whom the same salary shall be paid as is already  
 24273 provided for the head chief in article 5 of the treaty of June 11,  
 24274 1855, the salary to be paid and the houses and land to be occu-  
 24275 pied during the same period and under like restrictions as therein  
 24276 mentioned.

24277 And for the purpose of enabling the agent to erect said  
 24278 buildings, and to plough and fence the land, as well as to pro-  
 24279 cure the necessary furniture, and to complete and furnish the  
 24280 house, &c., of the head chief, as heretofore provided, there shall  
 24281 be appropriated, to be expended within the first year after the  
 24282 ratification hereof, the sum of two thousand five hundred dol-  
 24283 lars.

24284 And inasmuch as several of the provisions of said art. 5th  
 24285 of the treaty of June 11, 1855, pertaining to the erection of  
 24286 school-houses, hospitals, shops, necessary buildings for em-  
 24287 ploye[e]s and for the agency, as well as providing the same with  
 24288 necessary furniture, tools, &c., have not yet been complied with,  
 24289 it is hereby stipulated that there shall be appropriated, to be  
 24290 expended for the purposes herein specified during the first year  
 24291 after the ratification hereof, the following sums, to wit:

24292 First. Ten thousand dollars for the erection of the two  
 24293 schools, including boarding-houses and the necessary out-build-  
 24294 ings; said schools to be conducted on the manual-labor system  
 24295 as far as practicable.

24296 Second. Twelve hundred dollars for the erection of the hos-  
 24297 pital, and providing the necessary furniture for the same.

24298 Third. Two thousand dollars for the erection of a black-  
 24299 smith's shop, to be located at Kamia, to aid in the completion  
 24300 of the smith's shop at the agency, and to purchase the necessary  
 24301 tools, iron, steel, &c.; and to keep the same in repair and prop-  
 24302 erly stocked with necessary tools and materials, there shall be  
 24303 appropriated thereafter, for the fifteen years next succeeding,  
 24304 the sum of five hundred dollars each year.

24305 Fourth. Three thousand dollars for erection of houses for  
 24306 employe[e]s, repairs of mills, shops, &c., and providing neces-  
 24307 sary furniture, tools, and materials. For the same purpose, and  
 24308 to procure from year to year the necessary articles—that is to  
 24309 say, saw-logs, nails, glass, hardware, &c.—there shall be appro-  
 24310 priated thereafter, for the twelve years next succeeding, the sum  
 24311 of two thousand dollars each year; and for the next three years  
 24312 one thousand dollars each year.

24313 And it is further agreed that the United States shall em-  
 24314 ploy, in addition to those already mentioned in art. 5th of the  
 24315 treaty of June 11, 1855, two matrons to take charge of the  
 24316 boarding-schools, two assistant teachers, one farmer, one car-  
 24317 penter, and two millers.

24318 All the expenditures and expenses contemplated in this  
24319 treaty, and not otherwise provided for, shall be defrayed by the  
24320 United States.

24321 ARTICLE 6. In consideration of the past services and faith-  
24322 fulness of the Indian chief, Timothy, it is agreed that the United  
24323 States shall appropriate the sum of six hundred dollars, to aid  
24324 him in the erection of a house upon the lot of land which may  
24325 be assigned to him, in accordance with the provisions of the  
24326 third article of this treaty.

24327 ARTICLE 7. The United States further agree that the claims  
24328 of certain members of the Nez Percé tribe against the Govern-  
24329 ment for services rendered and for horses furnished by them to  
24330 the Oregon mounted volunteers, as appears by certificate issued  
24331 by W. H. Fauntleroy, A. R. Qr. M. and Com. Oregon volunteers,  
24332 on the 6th of March, 1856, at Camp Cornelius, and amounting  
24333 to the sum of four thousand six hundred and sixty-five dollars,  
24334 shall be paid to them in full in gold coin.

24335 ARTICLE 8. It is also understood that the aforesaid tribe do  
24336 hereby renew their acknowledgments of dependence upon the  
24337 Government of the United States, their promises of friendship  
24338 and other pledges, as set forth in the eighth article of the treaty  
24339 of June 11, 1855; and further, that all the provisions of said  
24340 treaty which are not abrogated or specifically changed by any  
24341 article herein contained, shall remain the same to all intents and  
24342 purposes as formerly—the same obligations resting upon the  
24343 United States, the same privileges continued to the Indians out-  
24344 side of the reservation, and the same rights secured to citizens  
24345 of the U. S. as to right of way upon the streams and over the  
24346 roads which may run through said reservation, as are therein  
24347 set forth.

24348 But it is further provided that the United States is the only  
24349 competent authority to declare and establish such necessary  
24350 roads and highways, and that no other right is intended to be  
24351 hereby granted to citizens of the United States than the right  
24352 of way upon or over such roads as may thus be legally estab-  
24353 lished: *Provided, however,* That the roads now usually travelled  
24354 shall, in the mean time, be taken and deemed as within the  
24355 meaning of this article, until otherwise enacted by act of Con-  
24356 gress or by the authority of the Indian Department.

24357 And the said tribe hereby consent that upon the public  
24358 roads which may run across the reservation there may be estab-  
24359 lished, at such points as shall be necessary for public conven-  
24360 ience, hotels, or stage-stands, of the number and necessity of  
24361 which the agent or superintendent shall be the sole judge, who  
24362 shall be competent to license the same, with the privilege of  
24363 using such amount of land for pasturage and other purposes

24364 connected with such establishment as the agent or superintend-  
 24365 ent shall deem necessary, it being understood that such lands  
 24366 for pasturage are to be enclosed, and the boundaries thereof de-  
 24367 scribed in the license.

24368 And it is further understood and agreed that all ferries and  
 24369 bridges within the reservation shall be held and managed for  
 24370 the benefit of said tribe.

24371 Such rules and regulations shall be made by the Commis-  
 24372 sioner of Indian Affairs, with the approval of the Secretary of  
 24373 the Interior, as shall regulate the travel on the highways, the  
 24374 management of the ferries and bridges, the licensing of public  
 24375 houses, and the leasing of lands, as herein provided, so that the  
 24376 rents, profits, and issues thereof shall inure to the benefit of said  
 24377 tribe, and so that the persons thus licensed or necessarily employed  
 24378 in any of the above relations, shall be subject to the control of  
 24379 the Indian Department and to the provisions of the act of Con-  
 24380 gress "to regulate trade and intercourse with the Indian tribes,  
 24381 and to preserve peace on the frontiers."

24382 All timber within the bounds of the reservation is exclu-  
 24383 sively the property of the tribe, excepting that the U. S. Gov-  
 24384 ernment shall be permitted to use thereof for any purpose con-  
 24385 nected with its affairs, either in carrying out any of the pro-  
 24386 visions of this treaty, or in the maintaining of its necessary forts  
 24387 or garrisons.

24388 The United States also agree to reserve all springs or fount-  
 24389 ains not adjacent to, or directly connected with, the streams or  
 24390 rivers within the lands hereby relinquished, and to keep back  
 24391 from settlement or entry so much of the surrounding land as  
 24392 may be necessary to prevent the said springs or fountains being  
 24393 enclosed; and, further, to preserve a perpetual right of way to  
 24394 and from the same, as watering places, for the use in common of  
 24395 both whites and Indians.

24396 ARTICLE 9. Inasmuch as the Indians in council have ex-  
 24397 pressed their desire that Robert Newell should have confirmed  
 24398 to him a piece of land lying between Snake and Clearwater  
 24399 Rivers, the same having been given to him on the 9th day of  
 24400 June, 1861, and described in an instrument of writing bearing  
 24401 that date, and signed by several chiefs of the tribe, it is hereby  
 24402 agreed that the said Robert Newell shall receive from the United  
 24403 States a patent for the said tract of land.

24404 ARTICLE 10. This treaty shall be obligatory upon the con-  
 24405 tracting parties as soon as the same shall be ratified by the Pres-  
 24406 ident and Senate of the United States.

24407 Proclaimed April 24, 1867.

24408 *Amendatory treaty to the treaty of June 9, 1863, between the United*  
 24409 *States of America and the Nez Percé tribe of Indians, con-*  
 24410 *cluded August 13, 1868; ratification advised February 16,*  
 24411 *1869.*

24412 ANDREW JOHNSON, President of the United States of America,  
 24413 to all and singular to whom these presents shall come, greet-  
 24414 ing:

24415 Whereas to the treaty of the ninth of June, one thousand  
 24416 eight hundred and sixty-three, (proclaimed April 20, 1867,)   
 24417 between the United States and the Nez Percé tribe of Indians,  
 24418 an amendatory treaty was concluded at the city of Washing-  
 24419 ton, in the District of Columbia, on the thirteenth day of  
 24420 August, in the year of our Lord one thousand eight hundred  
 24421 and sixty-eight, by and between Nathaniel G. Taylor, commis-  
 24422 sioner on the part of the United States, and Lawyer, head  
 24423 chief, and Timothy and Jason, chiefs, of the Nez Percé tribe  
 24424 of Indians, on the part of said tribe of Indians, and duly author-  
 24425 ized thereto by them, which amendatory treaty is in the words  
 24426 and figures following, to wit:

24427 Whereas certain amendments are desired by the Nez Percé  
 24428 tribe of Indians to their treaty concluded at the council ground  
 24429 in the valley of the Lapwai, in the Territory of Washington, on  
 24430 the ninth day of June, in the year of our Lord one thousand  
 24431 eight hundred and sixty-three; and whereas the United States  
 24432 are willing to assent to said amendments, it is therefore agreed  
 24433 by and between Nathaniel G. Taylor, commissioner on the part  
 24434 of the United States, thereunto duly authorized; and Lawyer,  
 24435 Timothy, and Jason, chiefs of said tribe, also being thereunto  
 24436 duly authorized, in manner and form following, that is to say:

24437 ARTICLE 1. That all lands embraced within the limits of the  
 24438 tract set apart for the exclusive use and benefit of said Indians  
 24439 by the 2d article of said treaty of June 9th, 1863, which are sus-  
 24440 ceptible of cultivation and suitable for Indian farms, which are  
 24441 not now occupied by the United States for military purposes, or  
 24442 which are not required for agency or other buildings and purposes  
 24443 provided for by existing treaty stipulations, shall be surveyed  
 24444 as provided in the 3d article of said treaty of June 9th, 1863, and  
 24445 as soon as the allotments shall be plowed and fenced, and as soon  
 24446 as schools shall be established as provided by existing treaty stip-  
 24447 ulations, such Indians now residing outside the reservation as  
 24448 may be decided upon by the agent of the tribe and the Indians  
 24449 themselves, shall be removed to and located upon allotments  
 24450 within the reservation: *Provided, however,* That in case there  
 24451 should not be a sufficient quantity of suitable land within the  
 24452 boundaries of the reservation to provide allotments for those now

24453 there and those residing outside the boundaries of the same, then  
 24454 those residing outside, or as many thereof as allotments cannot  
 24455 be provided for, may remain upon the lands now occupied and  
 24456 improved by them, provided, that the land so occupied does not  
 24457 exceed twenty acres for each and every male person who shall  
 24458 have attained the age of twenty-one years or is the head of a  
 24459 family, and the tenure of those remaining upon lands outside the  
 24460 reservation shall be the same as is provided in said 3d article of  
 24461 said treaty of June 9th, 1863, for those receiving allotments  
 24462 within the reservation; and it is further agreed that those now  
 24463 residing outside of the boundaries of the reservation and who  
 24464 may continue to so reside shall be protected by the military au-  
 24465 thorities in their rights upon the allotments occupied by them,  
 24466 and also in the privilege of grazing their animals upon surround-  
 24467 ing unoccupied lands.

24468 ARTICLE 2. It is further agreed between the parties hereto  
 24469 that the stipulations contained in the 8th article of the treaty of  
 24470 June 9th, 1863, relative to timber, are hereby annulled as far as  
 24471 the same provides that the United States shall be permitted to  
 24472 use thereof in the maintaining of forts or garrisons, and that  
 24473 the said Indians shall have the aid of the military authorities to  
 24474 protect the timber upon their reservation, and that none of the  
 24475 same shall be cut or removed without the consent of the head-  
 24476 chief of the tribe, together with the consent of the agent and  
 24477 superintendent of Indian affairs, first being given in writing,  
 24478 which written consent shall state the part of the reservation upon  
 24479 which the timber is to be cut, and also the quantity, and the  
 24480 price to be paid therefor.

24481 ARTICLE 3. It is further hereby stipulated and agreed that  
 24482 the amount due said tribe for school purposes and for the sup-  
 24483 port of teachers that has not been expended for that purpose  
 24484 since the year 1864, but has been used for other purposes, shall  
 24485 be ascertained and the same shall be re-imbursed to said tribe  
 24486 by appropriation by Congress, and shall be set apart and invested  
 24487 in United States bonds and shall be held in trust by the United  
 24488 States, the interest on the same to be paid to said tribe annually  
 24489 for the support of teachers.

24490 Proclaimed February 24, 1869.

24491

## NEW YORK INDIANS.

24492 TREATY WITH THE NEW YORK INDIANS, AS AMENDED BY THE  
24493 SENATE AND ASSENTED TO BY THE SEVERAL TRIBES, 1838.

24494 *Articles of a treaty made and concluded at Buffalo Creek, in the*  
24495 *State of New York, the fifteenth day of January, in the year of*  
24496 *our Lord one thousand eight hundred and thirty-eight, by*  
24497 *Ransom H. Gillet, a commissioner on the part of the United*  
24498 *States, and the chiefs, head-men, and warriors of the several*  
24499 *tribes of New York Indians assembled in council, witnesseth :*

24500 Whereas the Six Nations of New York Indians, not long  
24501 after the close of the war of the Revolution, became convinced,  
24502 from the rapid increase of the white settlers around, that the  
24503 time was not far distant when their true interest must lead them  
24504 to seek a new home among their red brethren in the West ; and

24505 Whereas this subject was agitated in a general council of the  
24506 Six Nations as early as 1810, and resulted in sending a memorial to  
24507 the President of the United States, inquiring whether the Govern-  
24508 ment would consent to their leaving their habitations and their  
24509 removing into the neighborhood of their western brethren, and if  
24510 they could procure a home there, by gift or purchase, whether  
24511 the Government would acknowledge their title to the lands so  
24512 obtained in the same manner it had acknowledged it in those  
24513 from whom they might receive it ; and further, whether the ex-  
24514 isting treaties would in such a case remain in full force, and their  
24515 annuities be paid as heretofore ; and

24516 Whereas, with the approbation of the President of the  
24517 United States, purchases were made by the New York Indians  
24518 from the Menomonie and Winnebago Indians of certain lands at  
24519 Green Bay in the Territory of Wisconsin, which after much diffi-  
24520 culty and contention with those Indians concerning the extent  
24521 of that purchase, the whole subject was finally settled by a treaty  
24522 between the United States and the Menomonie Indians, con-  
24523 cluded in February, 1831, to which the New York Indians gave  
24524 their assent on the seventeenth day of October, 1832 ; and

24525 Whereas, by the provisions of that treaty, five hundred  
24526 thousand acres of land are secured to the New York Indians of  
24527 the Six Nations and the St. Regis tribe, as a future home, on  
24528 condition that they all remove to the same within three years,  
24529 or such reasonable time as the President should prescribe ; and

24530 Whereas the President is satisfied that various considera-  
24531 tions have prevented those still residing in New York from re-  
24532 moving to Green Bay, and, among other reasons, that many

24533 who were in favour of emigration preferred to remove at once to  
 24534 the Indian Territory, which they were fully persuaded was the  
 24535 only permanent and peaceable home for all the Indians. And  
 24536 they therefore applied to the President to take their Green Bay  
 24537 lands, and provide them a new home among their brethren in  
 24538 the Indian Territory; and

24539 Whereas the President, being anxious to promote the peace,  
 24540 prosperity, and happiness of his red children, and being deter-  
 24541 mined to carry out the humane policy of the Government in  
 24542 removing the Indians from the east to the west of the Missis-  
 24543 sippi, within the Indian Territory, by bringing them to see and  
 24544 feel, by his justice and liberality, that it is their true policy and  
 24545 for their interest to do so without delay :

24546 Therefore, taking into consideration the foregoing premises,  
 24547 the following articles of a treaty are entered into between the  
 24548 United States of America and the several tribes of the New  
 24549 York Indians, the names of whose chiefs, head-men, and war-  
 24550 riors are hereto subscribed, and those who may hereafter give  
 24551 their assent to this treaty in writing within such time as the  
 24552 President shall appoint.

24553

## GENERAL PROVISIONS.

24554 ARTICLE 1. The several tribes of New York Indians, the  
 24555 names of whose chiefs, head-men, warriors, and representatives  
 24556 are hereunto annexed, in consideration of the premises above  
 24557 recited, and the covenants hereinafter contained, to be performed  
 24558 on the part of the United States, hereby cede and relinquish to  
 24559 the United States all their right, title, and interest to the lands  
 24560 secured to them at Green Bay by the Menomonie treaty of 1831,  
 24561 excepting the following tract, on which a part of the New York  
 24562 Indians now reside: beginning at the southwesterly corner of  
 24563 the French grants at Green Bay, and running thence southwardly  
 24564 to a point on a line to be run from the Little Cocalin, parallel to  
 24565 a line of the French grants and six miles from Fox River; from  
 24566 thence, on said parallel line, northwardly six miles; from thence  
 24567 eastwardly to a point on the northeast line of the Indian lands,  
 24568 and being at right angles to the same.

24569 ARTICLE 2. In consideration of the above cession and re-  
 24570 linquishment on the part of the tribes of the New York Indians,  
 24571 and in order to manifest the deep interest of the United States  
 24572 in the future peace and prosperity of the New York Indians, the  
 24573 United States agree to set apart the following tract of country,  
 24574 situated directly west of the State of Missouri, as a permanent  
 24575 home for all the New York Indians now residing in the State of  
 24576 New York, or in Wisconsin, or elsewhere in the United States,

24577 who have no permanent homes, which said country is described  
 24578 as follows, to wit: Beginning on the west line of the State of  
 24579 Missouri, at the northeast corner of the Cherokee tract, and  
 24580 running thence north along the west line of the State of Mis-  
 24581 souri twenty-seven miles to the southerly line of the Miami  
 24582 lands; thence west so far as shall be necessary, by running a  
 24583 line at right angles, and parallel to the west line aforesaid, to  
 24584 the Osage lands, and thence easterly along the Osage and  
 24585 Cherokee lands to the place of beginning, to include one million  
 24586 eight hundred and twenty-four thousand acres of land, being  
 24587 three hundred and twenty acres for each soul of said Indians as  
 24588 their numbers are at present computed. To have and to hold  
 24589 the same in fee-simple to the said tribes or nations of Indians,  
 24590 by patent from the President of the United States, issued in  
 24591 conformity with the provisions of the third section of the act  
 24592 entitled "An act to provide for an exchange of lands with the  
 24593 Indians residing in any of the States or Territories, and for their  
 24594 removal west of the Mississippi," approved on the 28th day of  
 24595 May, 1830, with full power and authority in the said Indians to  
 24596 divide said lands among the different tribes, nations, or bands  
 24597 in severalty, with the right to sell and convey to and from each  
 24598 other, under such laws and regulations as may be adopted by  
 24599 the respective tribes, acting by themselves, or by a general  
 24600 council of the said New York Indians, acting for all the tribes  
 24601 collectively. It is understood and agreed that the above-described  
 24602 country is intended as a future home for the following tribes,  
 24603 to wit: The Senecas, Onondagas, Cayugas, Tuscaroras, Oneidas,  
 24604 St. Regis, Stockbridges, Munsees, and Brothertowns residing in  
 24605 the State of New York, and the same is to be divided equally  
 24606 among them according to their respective numbers, as mentioned  
 24607 in a schedule hereunto annexed.

24608 ARTICLE 3. It is further agreed that such of the tribes of  
 24609 the New York Indians as do not accept and agree to remove to  
 24610 the country set apart for their new homes within five years, or  
 24611 such other time as the President may, from time to time, appoint,  
 24612 shall forfeit all interest in the lands so set apart to the United  
 24613 States.

24614 ARTICLE 4. Perpetual peace and friendship shall exist be-  
 24615 tween the United States and the New York Indians; and the  
 24616 United States hereby guaranty to protect and defend them in  
 24617 the peaceable possession and enjoyment of their new homes,  
 24618 and hereby secure to them, in said country, the right to estab-  
 24619 lish their own form of government, appoint their own officers,  
 24620 and administer their own laws; subject, however, to the legisla-  
 24621 tion of the Congress of the United States, regulating trade and  
 24622 intercourse with the Indians. The lands secured to them by

24623 patent under this treaty shall never be included in any State or  
 24624 Territory of this Union. The said Indians shall also be enti-  
 24625 tled, in all respects, to the same political and civil rights and  
 24626 privileges that are granted and secured by the United States  
 24627 to any of the several tribes of emigrant Indians settled in the  
 24628 Indian Territory.

24629 ARTICLE 5. The Oneidas are to have their lands in the In-  
 24630 dian Territory, in the tract set apart for the New York Indians,  
 24631 adjoining the Osage tract, and that hereinafter set apart for the  
 24632 Senecas; and the same shall be so laid off as to secure them a  
 24633 sufficient quantity of timber for their use. Those tribes whose  
 24634 lands are not specially designated in this treaty are to have  
 24635 such as shall be set apart by the President.

24636 ARTICLE 6. It is further agreed that the United States will  
 24637 pay to those who remove West, at their new homes, all such an-  
 24638 nuities as shall properly belong to them. The schedules here-  
 24639 unto annexed shall be deemed and taken as a part of this  
 24640 treaty.

24641 ARTICLE 7. It is expressly understood and agreed that  
 24642 this treaty must be approved by the President and ratified and  
 24643 confirmed by the Senate of the United States, before it shall  
 24644 be binding upon the parties to it. It is further expressly un-  
 24645 derstood and agreed that the rejection, by the President and  
 24646 Senate, of the provisions thereof, applicable to one tribe, or dis-  
 24647 tinct branch of a tribe, shall not be construed to invalidate as  
 24648 to others, but as to them it shall be binding, and remain in full  
 24649 force and effect.

24650 ARTICLE 8. It is stipulated and agreed that the accounts  
 24651 of the commissioner, and expenses incurred by him in holding  
 24652 a council with the New York Indians, and concluding treaties at  
 24653 Green Bay and Duck Creek, in Wisconsin, and in the State of  
 24654 New York, in 1836, and those for the exploring party of the  
 24655 New York Indians, in 1837, and also the expenses of the present  
 24656 treaty, shall be allowed and settled according to former prece-  
 24657 dents.

24658 SPECIAL PROVISIONS FOR THE ST. REGIS.

24659 ARTICLE 9. It is agreed with the American party of the  
 24660 St. Regis Indians, that the United States will pay to the said  
 24661 tribe, on their removal West, or at such time as the President  
 24662 shall appoint, the sum of five thousand dollars, as a remunera-  
 24663 tion for monies laid out by the said tribe, and for services ren-  
 24664 dered by their chiefs and agents in securing the title to the  
 24665 Green Bay lands, and in removal to the same, the same to be  
 24666 apportioned out to the several claimants by the chiefs of the said

24667 party, and a United States commissioner, as may be deemed by  
 24668 them equitable and just. It is further agreed that the following  
 24669 reservation of land shall be made to the Rev. Eleazer Williams,  
 24670 of said tribe, which he claims in his own right, and in that of his  
 24671 wife, which he is to hold in fee-simple by patent from the Presi-  
 24672 dent, with full power and authority to sell and dispose of the  
 24673 same, to wit : beginning at a point in the west bank of Fox  
 24674 River, thirteen chains above the old mill-dam at the rapids of the  
 24675 Little Kockalin ; thence north fifty-two degrees and thirty min-  
 24676 utes west, two hundred and forty chains ; thence north thirty-  
 24677 seven degrees and thirty minutes east, two hundred chains ;  
 24678 thence south fifty-two degrees and thirty minutes east, two hun-  
 24679 dred and forty chains to the bank of Fox River ; thence up  
 24680 along the bank of Fox River to the place of beginning.

24681

## SPECIAL PROVISIONS FOR THE SENECA.

24682 ARTICLE 10. It is agreed with the Senecas that they shall  
 24683 have for themselves and their friends, the Cayugas and Onon-  
 24684 dagas, residing among them, the easterly part of the tract set  
 24685 apart for the New York Indians, and to extend so far west as  
 24686 to include one half section (three hundred and twenty acres) of  
 24687 land for each soul of the Senecas, Cayugas, and Onondagas, re-  
 24688 siding among them ; and if, on removing West, they find there  
 24689 is not sufficient timber on this tract for their use, then the Presi-  
 24690 dent shall add thereto timber land sufficient for their accommo-  
 24691 dation, and they agree to remove ; to remove from the State of  
 24692 New York to their new homes within five years, and to continue  
 24693 to reside there. And whereas, at the making of this treaty,  
 24694 Thomas L. Ogden and Joseph Fellows, the assignees of the  
 24695 State of Massachusetts, have purchased of the Seneca Nation of  
 24696 Indians, in the presence and with the approbation of the United  
 24697 States commissioner, appointed by the United States to hold  
 24698 said treaty or convention, all the right, title, interest, and claim  
 24699 of the said Seneca Nation to certain lands, by a deed of convey-  
 24700 ance, a duplicate of which is hereunto annexed ; and whereas  
 24701 the consideration money mentioned in said deed, amounting  
 24702 to two hundred and two thousand dollars, belongs to the  
 24703 Seneca Nation, and the said nation agrees that the said  
 24704 sum of money shall be paid to the United States, and the  
 24705 United States agree to receive the same, to be disposed of as  
 24706 follows: the sum of one hundred thousand dollars is to be invested  
 24707 by the President of the United States in safe stocks, for their  
 24708 use, the income of which is to be paid to them at their new  
 24709 homes, annually, and the ballance, being the sum of one hundred  
 24710 and two thousand dollars, is to be paid to the owners of the

24711 improvements on the lands so deeded, according to an appraise-  
 24712 ment of said improvements and a distribution and award of said  
 24713 sum of money among the owners of said improvements, to be  
 24714 made by appraisers, hereafter to be appointed by the Seneca  
 24715 Nation, in the presence of a United States commissioner, here-  
 24716 after to be appointed, to be paid by the United States to the  
 24717 individuals who are entitled to the same, according to said  
 24718 appraisal and award, on their severally relinquishing their re-  
 24719 spective possessions to the said Ogden and Fellows.

24720 SPECIAL PROVISIONS FOR THE CAYUGAS.

24721 ARTICLE 11. The United States will set apart for the Cayu  
 24722 gas, on their removing to their new homes at the West, two  
 24723 thousand dollars, and will invest the same in some safe stocks,  
 24724 the income of which shall be paid them annually, at their new  
 24725 homes. The United States further agree to pay to the said  
 24726 nation, on their removal West, two thousand five hundred dollars,  
 24727 to be disposed as the chiefs shall deem just and equitable.

24728 SPECIAL PROVISIONS FOR THE ONONDAGAS RESIDING ON THE  
 24729 SENECA RESERVATIONS.

24730 ARTICLE 12. The United States agree to set apart for the  
 24731 Onondagas, residing on the Seneca reservations, two thousand  
 24732 five hundred dollars, on their removing West, and to invest the  
 24733 same in safe stocks, the income of which shall be paid to them  
 24734 annually, at their new homes. And the United States further  
 24735 agree to pay to the said Onondagas, on their removal to their  
 24736 new homes in the West, two thousand dollars, to be disposed of  
 24737 as the chiefs shall deem equitable and just.

24738 SPECIAL PROVISIONS FOR THE ONEIDAS RESIDING IN THE  
 24739 STATE OF NEW YORK.

24740 ARTICLE 13. The United States will pay the sum of four  
 24741 thousand dollars, to be paid to Baptista Powlis, and the chiefs  
 24742 of the first Christian party residing at Oneida, and the sum of  
 24743 two thousand dollars shall be paid to William Day, and the  
 24744 chiefs of the Orchard party residing there, for expenses incurred  
 24745 and services rendered in securing the Green Bay country, and  
 24746 the settlement of a portion thereof; and they hereby agree to  
 24747 remove to their new homes in the Indian Territory as soon as  
 24748 they can make satisfactory arrangements with the governor of  
 24749 the State of New York for the purchase of their lands at Oneida.

24750 SPECIAL PROVISIONS FOR THE TUSCARORAS.

24751 ARTICLE 14. The Tuscarora Nation agree to accept the  
 24752 country set apart for them in the Indian Territory, and to re-

24753 move there within five years, and continue to reside there. It  
 24754 is further agreed that the Tuscaroras shall have their lands in  
 24755 the Indian country, at the forks of the Neasha River, which  
 24756 shall be so laid off as to secure a sufficient quantity of timber  
 24757 for the accommodation of the nation. But if, on examination,  
 24758 they are not satisfied with this location, they are to have their  
 24759 lands at such place as the President of the United States shall  
 24760 designate. The United States will pay to the Tuscarora Nation,  
 24761 on their settling at the West, three thousand dollars, to be  
 24762 disposed of as the chiefs shall deem most equitable and just.  
 24763 Whereas the said nation owns, in fee-simple, five thousand  
 24764 acres of land, lying in Niagara County, in the State of New  
 24765 York, which was conveyed to the said nation by Henry Dear-  
 24766 born, and they wish to sell and convey the same before they re-  
 24767 move West: Now, therefore, in order to have the same done in  
 24768 a legal and proper way, they hereby convey the same to the  
 24769 United States, and to be held in trust for them, and they author-  
 24770 ize the President to sell and convey the same, and the money  
 24771 which shall be received for the said lands, exclusive of the im-  
 24772 provements, the President shall invest in safe stocks for their  
 24773 benefit, the income from which shall be paid to the nation at their  
 24774 new homes annually; and the money which shall be received  
 24775 for improvements on said lands shall be paid to the owners of  
 24776 the improvements when the lands are sold. The President shall  
 24777 cause the said lands to be surveyed, and the improvements shall  
 24778 be appraised by such persons as the nation shall appoint; and  
 24779 said lands shall also be appraised, and shall not be sold at a  
 24780 less price than the appraisal, without the consent of James Cusick,  
 24781 William Mountpleasant, and William Chew, or the survivor or  
 24782 survivors of them; and the expenses incurred by the United  
 24783 States in relation to this trust are to be deducted from the moneys  
 24784 received before investment. And whereas, at the making of this  
 24785 treaty, Thomas L. Ogden and Joseph Fellows, the assignees of  
 24786 the State of Massachusetts, have purchased of the Tuscarora  
 24787 Nation of Indians, in the presence and with the approbation  
 24788 of the commissioner appointed on the part of the United States  
 24789 to hold said treaty or convention, all the right, title, interest,  
 24790 and claim of the Tuscarora Nation to certain lands, by a deed of  
 24791 conveyance, a duplicate of which is hereunto annexed; and  
 24792 whereas the consideration money for said lands has been  
 24793 secured to the said nation to their satisfaction by Thomas L.  
 24794 Ogden and Joseph Fellows: Therefore, the United States hereby  
 24795 assent to the said sale and conveyance and sanction the same.

24796 ARTICLE 15. The United States hereby agree that they will  
 24797 appropriate the sum of four hundred thousand dollars, to be  
 24798 applied from time to time, under the direction of the President

24799 of the United States, in such proportions as may be most for  
 24800 the interest of the said Indians, parties to this treaty, for the  
 24801 following purposes, to wit: To aid them in removing to their  
 24802 homes, and supporting themselves the first year after their re-  
 24803 moval; to encourage and assist them in education, and in being  
 24804 taught to cultivate their lands; in erecting mills and other neces-  
 24805 sary houses; in purchasing domestic animals and farming uten-  
 24806 sils, and acquiring a knowledge of the mechanic arts.

24807 SCHEDULE A.

24808 *Census of the New York Indians as taken in 1837.—Number resid-*  
 24809 *ing on the Seneca reservations.*

24810	Senecas .....	2,309
24811	Onondagas .....	194
24812	Cayugas .....	130
24813		
24814		2,633
24815		
24816	Onondagas, at Onondaga.....	300
24817	Tuscaroras .....	273
24818	St. Regis, in New York.....	350
24819	Oneidas, at Green Bay .....	600
24820	Oneidas, in New York.....	620
24821	Stockbridges .....	217
24822	Munsees .....	132
24823	Brothertowns .....	360

24824 The above was made before the execution of the treaty.

24825 R. H. GILLET, *Commissioner*.

24826 SCHEDULE B.

24827 The following is the disposition agreed to be made of the  
 24828 sum of three thousand dollars provided in this treaty for the  
 24829 Tuscaroras, by the chiefs, and assented to by the commissioner,  
 24830 and is to form a part of the treaty:

24831 To Jonathan Printess, ninety-three dollars.

24832 To William Chew, one hundred and fifteen dollars.

24833 To John Patterson, forty-six dollars.

24834 To William Mountpleasant, one hundred and seventy-one  
 24835 dollars.

24836 To James Cusick, one hundred and twenty-five dollars.

24837 To David Peter, fifty dollars.

24838 The rest and residue thereof is to be paid to the nation.

24839 The above was agreed to before the execution of the treaty.

24840 R. H. GILLET, *Commissioner*.

## SCHEDULE C.

24841

24842       Schedule applicable to the Onondagas and Cayugas resid-  
 24843       ing on the Seneca reservations. It is agreed that the following  
 24844       disposition shall be made of the amount set apart to be divided  
 24845       by the chiefs of those nations, in the preceding parts of this  
 24846       treaty, anything therein to the contrary notwithstanding:  
 24847       To William King, one thousand five hundred dollars.  
 24848       Joseph Isaacs, seven hundred dollars.  
 24849       Jack Wheelbarrow, three hundred dollars.  
 24850       Silversmith, one thousand dollars.  
 24851       William Jacket, five hundred dollars.  
 24852       Buton George, five hundred dollars.  
 24853       The above was agreed to before the treaty was finally exe-  
 24854       cuted.

24855

R. H. GILLET,  
*Commissioner.*

24856

24857       At a treaty held under the authority of the United States  
 24858       of America, at Buffalo Creek, in the county of Erie, and State of  
 24859       New York, between the chiefs and head-men of the Seneca  
 24860       Nation of Indians, duly assembled in council, and representing  
 24861       and acting for the said nation, on the one part, and Thomas  
 24862       Ludlow Ogden, of the city of New York, and Joseph Fellows, of  
 24863       Geneva, in the county of Ontario, on the other part, concerning  
 24864       the purchase of the right and claim of the said Indians in and  
 24865       to the lands within the State of New York remaining in their  
 24866       occupation: Ransom H. Gillet, esquire, a commissioner ap-  
 24867       pointed by the President of the United States to attend and  
 24868       hold the said treaty, and also Josiah Trowbridge, esquire, the  
 24869       superintendent on behalf of the Commonwealth of Massachu-  
 24870       setts, being severally present at the said treaty, the said chiefs  
 24871       and head-men, on behalf of the Seneca Nation, did agree to sell  
 24872       and release to the said Thomas Ludlow Ogden and Joseph Fel-  
 24873       lows, and they, the said Thomas Ludlow Ogden and Joseph Fel-  
 24874       lows, did agree to purchase all the right, title, and claim of the  
 24875       said Seneca Nation of, in, and to the several tracts, pieces, or  
 24876       parcels of land mentioned and described in the instrument of  
 24877       writing next hereinafter set forth, and at the price or sum therein  
 24878       specified, as the consideration or purchase money for such sale  
 24879       and release; which instrument being read and explained to the  
 24880       said parties and mutually agreed to, was signed and sealed by  
 24881       the said contracting parties, and is in the words following:  
 24882       This indenture, made this fifteenth day of January, in the  
 24883       year of our Lord one thousand eight hundred and thirty-eight,  
 24884       between the chiefs and head-men of the Seneca Nation of Indi-

24885   ans, duly assembled in council, and acting for and on behalf of  
 24886   the said Seneca Nation, of the first part, and Thomas Ludlow  
 24887   Ogden, of the city of New York, and Joseph Fellows, of Ge-  
 24888   neva, in the county of Ontario, of the second part, witnesseth :  
 24889   That the said chiefs and head-men of the Seneca Nation of Indi-  
 24890   ans, in consideration of the sum of two hundred and two thou-  
 24891   sand dollars to them in hand paid by the said Thomas Ludlow  
 24892   Ogden and Joseph Fellows, the receipt whereof is hereby  
 24893   acknowledged, have granted, bargained, sold, released, and con-  
 24894   firmed, and by these presents do grant, bargain, sell, release,  
 24895   and confirm unto the said Thomas Ludlow Ogden and Joseph  
 24896   Fellows, and to their heirs and assigns, all that certain tract or  
 24897   parcel of land situate, lying, and being in the county of Erie  
 24898   and State of New York, commonly called and known by the  
 24899   name of Buffalo Creek reservation, containing by estimation  
 24900   forty-nine thousand nine hundred and twenty acres, be the con-  
 24901   tents thereof more or less. Also, all that certain other tract or  
 24902   parcel of land, situate, lying, and being in the counties of Erie,  
 24903   Chataque, and Cattaraugus, in said State, commonly called and  
 24904   known by the name of Cattaraugus reservation, containing by  
 24905   estimation twenty-one thousand six hundred and eighty acres,  
 24906   be the contents thereof more or less. Also, all that certain other  
 24907   tract or parcel of land, situate, lying, and being in the said  
 24908   county of Cattaraugus, in said State, commonly called and known  
 24909   by the name of the Allegany reservation, containing by estima-  
 24910   tion thirty thousand four hundred and sixty-nine acres, be the  
 24911   contents more or less. And also all that certain other tract or  
 24912   parcel of land, situate, lying, and being partly in said county of  
 24913   Erie and partly in the county of Genesee, in said State, com-  
 24914   monly called and known by the name of the Tonawando reser-  
 24915   vation, and containing by estimation twelve thousand eight  
 24916   hundred acres, be the same more or less; as the said several  
 24917   tracts of land have been heretofore reserved and are held and  
 24918   occupied by the said Seneca Nation of Indians, or by individu-  
 24919   als thereof, together with all and singular the rights, privileges,  
 24920   hereditaments and appurtenances to each and every of the said  
 24921   tracts or parcels of land belonging or appertaining; and all the  
 24922   estate, right, title, interest, claim, and demand of the said party  
 24923   of the first part, and of the said Seneca Nation of Indians, of,  
 24924   in, and to the same, and to each and every part and parcel  
 24925   thereof: to have and to hold all and singular the above described  
 24926   and released premises unto the said Thomas Ludlow Ogden and  
 24927   Joseph Fellows, their heirs and assigns, to their proper use and  
 24928   behoof forever, as joint tenants, and not as tenants in common.  
 24929         At the before-mentioned treaty, held in my presence, as  
 24930   superintendent on the part of the Commonwealth of Massachu-

24931 setts, and this day concluded, the foregoing instrument of writ-  
 24932 ing was agreed to by the contracting parties therein named, and  
 24933 was in my presence executed by them, and being approved by  
 24934 me, I do hereby certify and declare such my approbation  
 24935 thereof.

24936 Witness my hand and seal, at Buffalo Creek, this 15th day  
 24937 of January in the year 1838.

24938

JOSIAH TROWBRIDGE.

24939 I have attended a treaty of the Seneca Nation of Indians,  
 24940 held at Buffalo Creek, in the county of Erie, in the State of  
 24941 New York, on the fifteenth day of January, in the year of our  
 24942 Lord one thousand eight hundred and thirty-eight, when the  
 24943 within instrument was duly executed, in my presence, by the  
 24944 chiefs of the Seneca Nation, being fairly and properly under-  
 24945 stood by them. I do therefore certify and approve the same.

24946

R. H. GILLET, *Commissioner*.

24947 At a treaty held under and by the authority of the United  
 24948 States of America, at Buffalo Creek, in the county of Erie, and  
 24949 State of New York, between the sachems, chiefs, and warriors  
 24950 of the Tuscarora Nation of Indians, duly assembled in council,  
 24951 and representing and acting for the said nation, on the one part,  
 24952 and Thomas Ludlow Ogden, of the city of New York, and Jo-  
 24953 seph Fellows, of Geneva, in the county of Ontario, on the other  
 24954 part, concerning the purchase of the right and claim of the said  
 24955 nation of Indians in and to the lands within the State of New  
 24956 York remaining in their occupation: Ransom H. Gillett, es-  
 24957 quire, a commissioner appointed by the President of the United  
 24958 States to attend and hold the said treaty, and also Josiah Trow-  
 24959 bridge, esquire, the superintendent on behalf of the Common-  
 24960 wealth of Massachusetts, being severally present at the said  
 24961 treaty, the said sachems, chiefs, and warriors, on behalf of the  
 24962 said Tuscarora Nation, did agree to sell and release to the said  
 24963 Thomas Ludlow Ogden and Joseph Fellows, and they, the said  
 24964 Thomas Ludlow Ogden and Joseph Fellows, did agree to pur-  
 24965 chase all the right, title, and claim of the said Tuscarora Nation  
 24966 of, in, and to the tract, piece, or parcel of land mentioned and  
 24967 described in the instrument of writing next hereinafter set  
 24968 forth, and at the price or sum therein specified as the consider-  
 24969 ation or purchase money for such sale and release; which in-  
 24970 strument being read and explained to the said parties, and mu-  
 24971 tually agreed to, was signed and sealed by the said contracting  
 24972 parties, and is in the words following:

24973 This indenture, made this fifteenth day of January, in the  
 24974 year of our Lord one thousand eight hundred and thirty-eight,  
 24975 between the sachems, chiefs, and warriors of the Tuscarora Na-

24976 tion of Indians, duly assembled in council, and acting for and  
 24977 on behalf of the said Tuscarora Nation, of the first part, and  
 24978 Thomas Ludlow Ogden, of the city of New York, and Joseph  
 24979 Fellows, of Geneva, in the county of Ontario, of the second  
 24980 part, witnesseth: That the said sachems, chiefs, and warriors of  
 24981 the Tuscarora Nation, in consideration of the sum of nine thou-  
 24982 sand six hundred dollars to them in hand paid by the said  
 24983 Thomas Ludlow Ogden and Joseph Fellows, the receipt whereof  
 24984 is hereby acknowledged, have granted, bargained, sold, released,  
 24985 and confirmed, and by these presents do grant, bargain, sell,  
 24986 release, and confirm to the said Thomas Ludlow Ogden and Jo-  
 24987 seph Fellows, and to their heirs and assigns, all that tract or  
 24988 parcel of land situate, lying, and being in the county of Niag-  
 24989 ara, and State of New York, commonly called and known by  
 24990 the name of the Tuscarora reservation or Seneca grant, con-  
 24991 taining nineteen hundred and twenty acres, be the same more  
 24992 or less, being the lands in their occupancy, and not included in  
 24993 the land conveyed to them by Henry Dearborn, together with all  
 24994 and singular the rights, *the rights*, privileges, heraditaments, and  
 24995 appurtenances to the said tract or parcel of land belonging or  
 24996 appertaining, and all the estate, right, title, interest, claim, and  
 24997 demand of the said party of the first part, and of the said Tus-  
 24998 carora Nation of Indians of, in, and to the same, and to every  
 24999 part and parcel thereof: to have and to hold all and singular  
 25000 the above described and released premises unto the said Thomas  
 25001 Ludlow Ogden and Joseph Fellows, and their heirs and assigns,  
 25002 to their proper use and behoof forever, as joint tenants and not  
 25003 as tenants in common.

25004 At the above-mentioned treaty, held in my presence as su-  
 25005 perintendent on the part of the Commonwealth of Massachu-  
 25006 setts, and this day concluded, the foregoing instrument was  
 25007 agreed to by the contracting parties therein named, and was in  
 25008 my presence executed by them; and being approved by me, I  
 25009 do hereby certify and declare such my approbation thereof.

25010 Witness my hand and seal at Buffalo Creek, this 15th day  
 25011 of January, in the year 1838.

25012 J. TROWBRIDGE, *Superintendent*.

25013 I have attended a treaty of the Tuscarora Nation of In-  
 25014 dians held at Buffalo Creek, in the county of Erie, in the State  
 25015 of New York, on the fifteenth day of January, in the year of our  
 25016 Lord one thousand eight hundred and thirty-eight, when the  
 25017 within instrument was duly executed in my presence by the  
 25018 sachems, chiefs, and warriors of the said nation, being fairly  
 25019 and properly understood and transacted by all the parties of  
 25020 Indians concerned, and declared to be done to their full satis-  
 25021 faction. I do therefore certify and approve the same.

25022 R. H. GILLET, *Commissioner*.

25023 *Supplemental article to the treaty concluded at Buffalo Creek, in*  
 25024 *the State of New York, on the 15th of January, 1838, con-*  
 25025 *cluded between Ransom H. Gillet, commissioner on the part of*  
 25026 *the United States, and chiefs and head-men of the St. Regis*  
 25027 *Indians, concluded on the 13th day of February, 1838.*

25028       The undersigned chiefs and head-men of the St. Regis In-  
 25029 dians residing in the State of New York having heard a copy of  
 25030 said treaty read by Ransom H. Gillet, the commissioner who  
 25031 concluded that treaty on the part of the United States, and he  
 25032 having fully and publicly explained the same, and believing the  
 25033 provisions of the said treaty to be very liberal on the part of  
 25034 the United States and calculated to be highly beneficial to the  
 25035 New York Indians, including the St. Regis, who are embraced  
 25036 in its provisions, do hereby assent to every part of the said  
 25037 treaty and approve the same. And it is further agreed that  
 25038 any of the St. Regis Indians who wish to do so shall be at lib-  
 25039 erty to remove to the said country at any time hereafter within  
 25040 the time specified in this treaty, but under it the Government  
 25041 shall not compel them to remove. The United States will,  
 25042 within one year after the ratification of this treaty, pay over to  
 25043 the American party of said Indians one thousand dollars, part  
 25044 of the sum of five thousand dollars mentioned in the special  
 25045 provisions for the St. Regis Indians, anything in the article  
 25046 contained to the contrary notwithstanding.

25047       Proclaimed April 4, 1840.

25048                               NISQUALLY, PUYALLUP, ETC.

25049 FRANKLIN PIERCE, President of the United States of America,  
 25050 to all and singular to whom these presents shall come,  
 25051 greeting:

25052       Whereas a treaty was made and concluded on the She-nah-  
 25053 nam, or Medicine Creek, in the Territory of Washington, on the  
 25054 twenty-sixth day of December, one thousand eight hundred and  
 25055 fifty-four, between the United States of America and the Nis-  
 25056 qually and other bands of Indians, which treaty is in the words  
 25057 following, to wit:

25058 Articles of agreement and convention made and concluded on  
 25059 the She-nah-nam, or Medicine Creek, in the Territory of  
 25060 Washington, this twenty-sixth day of December, in the year  
 25061 one thousand eight hundred and fifty-four, by Isaac I. Ste-  
 25062 vens, governor and superintendent of Indian affairs of the  
 25063 said Territory, on the part of the United States, and the  
 25064 undersigned chiefs, head-men, and delegates of the Nisqually,

Puyallup, Steilacoom, Squawskin, S'Homamish, Steh-chass, T'Peeksin, Squi-aitl, and Sa-leh-wamish tribes and bands of Indians, occupying the lands lying round the head of Puget's Sound and the adjacent inlets, who, for the purpose of this treaty, are to be regarded as one nation, on behalf of said tribes and bands, and duly authorized by them.

ARTICLE 1. The said tribes and bands of Indians hereby cede, relinquish, and convey to the United States all their right, title, and interest in and to the lands and country occupied by them, bounded and described as follows, to wit: Commencing at the point on the eastern side of Admiralty Inlet, known as Point Pully, about midway between Commencement and Elliott Bays; thence running in a southeasterly direction, following the divide between the waters of the Puyallup and Dwamish, or White Rivers, to the summit of the Cascade Mountains; thence southerly, along the summit of said range, to a point opposite the main source of the Skookum Chuck Creek; thence to and down said creek, to the coal mine; thence northwesterly, to the summit of the Black Hills; thence northerly, to the upper forks of the Satsop River; thence northeasterly, through the portage known as Wilkes's Portage, to Point Southworth, on the western side of Admiralty Inlet; thence around the foot of Vashon's Island, easterly and southeasterly, to the place of beginning.

ARTICLE 2. There is, however, reserved for the present use and occupation of the said tribes and bands, the following tracts of land, viz: The small island called Klah-che-min, situated opposite the mouths of Hammersley's and Totten's Inlets, and separated from Hartstene Island by Peale's Passage, containing about two sections of land by estimation; a square tract containing two sections, or twelve hundred and eighty acres, on Puget's Sound near the mouth of the She-nah-nam Creek, one mile west of the meridian line of the United States land survey, and a square tract containing two sections, or twelve hundred and eighty acres, lying on the south side of Commencement Bay; all which tracts shall be set apart, and, so far as necessary, surveyed and marked out for their exclusive use; nor shall any white man be permitted to reside upon the same without permission of the tribe and the superintendent or agent. And the said tribes and bands agree to remove to and settle upon the same within one year after the ratification of this treaty, or sooner if the means are furnished them. In the mean time it shall be lawful for them to reside upon any ground not in the actual claim and occupation of citizens of the United States, and upon any ground claimed or occupied, if with the permission of the owner or claimant. If necessary for the public convenience,

25111 roads may be run through their reserves, and, on the other hand,  
 25112 the right of way with free access from the same to the nearest  
 25113 public highway is secured to them.

25114 ARTICLE 3. The right of taking fish, at all usual and ac-  
 25115 customed grounds and stations, is further secured to said Indians  
 25116 in common with all citizens of the Territory, and of erecting  
 25117 temporary houses for the purpose of curing, together with the  
 25118 privilege of hunting, gathering roots and berries, and pasturing  
 25119 their horses on open and unclaimed lands: *Provided, however,*  
 25120 That they shall not take shell-fish from any beds staked or cul-  
 25121 tivated by citizens, and that they shall alter all stallions not in-  
 25122 tended for breeding-horses, and shall keep up and confine the  
 25123 latter.

25124 ARTICLE 4. In consideration of the above cession, the United  
 25125 States agree to pay to the said tribes and bands the sum of  
 25126 thirty-two thousand five hundred dollars, in the following man-  
 25127 ner, that is to say: For the first year after the ratification here-  
 25128 of, three thousand two hundred and fifty dollars; for the next  
 25129 two years, three thousand dollars each year; for the next  
 25130 three years, two thousand dollars each year; for the next four  
 25131 years, fifteen hundred dollars each year; for the next five years,  
 25132 twelve hundred dollars each year; and for the next five  
 25133 years, one thousand dollars each year; all which said sums of  
 25134 money shall be applied to the use and benefit of the said Indians,  
 25135 under the direction of the President of the United States, who  
 25136 may, from time to time, determine, at his discretion, upon what  
 25137 beneficial objects to expend the same. And the superintendent  
 25138 of Indian affairs, or other proper officer, shall each year inform  
 25139 the President of the wishes of said Indians in respect thereto.

25140 ARTICLE 5. To enable the said Indians to remove to and  
 25141 settle upon their aforesaid reservations, and to clear, fence, and  
 25142 break up a sufficient quantity of land for cultivation, the United  
 25143 States further agree to pay the sum of three thousand two hun-  
 25144 dred and fifty dollars, to be laid out and expended under the  
 25145 direction of the President, and in such manner as he shall ap-  
 25146 prove.

25147 ARTICLE 6. The President may hereafter, when in his opin-  
 25148 ion the interests of the Territory may require, and the welfare  
 25149 of the said Indians be promoted, remove them from either or all  
 25150 of said reservations to such other suitable place or places with-  
 25151 in said Territory as he may deem fit, on remunerating them for  
 25152 their improvements and the expenses of their removal, or may  
 25153 consolidate them with other friendly tribes or bands. And he  
 25154 may further, at his discretion, cause the whole or any portion of  
 25155 the lands hereby reserved, or of such other land as may be se-  
 25156 lected in lieu thereof, to be surveyed into lots, and assign the

25157 same to such individuals or families as are willing to avail them-  
 25158 selves of the privilege, and will locate on the same as a perma-  
 25159 nent home, on the same terms and subject to the same regula-  
 25160 tions as are provided in the sixth article of the treaty with the  
 25161 Omahas, so far as the same may be applicable. Any substan-  
 25162 tial improvements heretofore made by any Indian, and which he  
 25163 shall be compelled to abandon in consequence of this treaty,  
 25164 shall be valued, under the direction of the President, and pay-  
 25165 ment be made accordingly therefor.

25166 ARTICLE 7. The annuities of the aforesaid tribes and bands  
 25167 shall not be taken to pay the debts of individuals.

25168 ARTICLE 8. The aforesaid tribes and bands acknowledge  
 25169 their dependence on the Government of the United States, and  
 25170 promise to be friendly with all citizens thereof, and pledge them-  
 25171 selves to commit no depredations on the property of such citi-  
 25172 zens. And should any one or more of them violate this pledge,  
 25173 and the fact be satisfactorily proved before the agent, the prop-  
 25174 erty taken shall be returned, or in default thereof, or if injured  
 25175 or destroyed, compensation may be made by the Government  
 25176 out of their annuities. Nor will they make war on any other  
 25177 tribe except in self-defence, but will submit all matters of differ-  
 25178 ence between them and other Indians to the Government of the  
 25179 United States, or its agent, for decision, and abide thereby.  
 25180 And if any of the said Indians commit any depredations on  
 25181 any other Indians within the Territory, the same rule shall pre-  
 25182 vail as that prescribed in this article, in cases of depredations  
 25183 against citizens. And the said tribes agree not to shelter or  
 25184 conceal offenders against the laws of the United States, but to  
 25185 deliver them up to the authorities for trial.

25186 ARTICLE 9. The above tribes and bands are desirous to  
 25187 exclude from their reservations the use of ardent spirits, and to  
 25188 prevent their people from drinking the same; and therefore it  
 25189 is provided, that any Indian belonging to said tribes, who is  
 25190 guilty of bringing liquor into said reservations, or who drinks  
 25191 liquor, may have his or her proportion of the annuities withheld  
 25192 from him or her for such time as the President may determine.

25193 ARTICLE 10. The United States further agree to establish  
 25194 at the general agency for the district of Puget's Sound, within  
 25195 one year from the ratification hereof, and to support, for a period  
 25196 of twenty years, an agricultural and industrial school, to be  
 25197 free to children of the said tribes and bands, in common with  
 25198 those of the other tribes of said district, and to provide the  
 25199 said school with a suitable instructor or instructors, and also to  
 25200 provide a smithy and carpenter's shop, and furnish them with  
 25201 the necessary tools, and employ a blacksmith, carpenter, and  
 25202 farmer, for the term of twenty years, to instruct the Indians in

25203 their respective occupations. And the United States further  
 25204 agree to employ a physician to reside at the said central agency,  
 25205 who shall furnish medicine and advice to their sick, and shall  
 25206 vaccinate them ; the expenses of the said school, shops, em-  
 25207 ployées, and medical attendance, to be defrayed by the United  
 25208 States, and not deducted from the annuities.

25209 ARTICLE 11. The said tribes and bands agree to free all  
 25210 slaves now held by them, and not to purchase or acquire others  
 25211 hereafter.

25212 ARTICLE 12. The said tribes and bands finally agree not to  
 25213 trade at Vancouver's Island, or elsewhere out of the dominions  
 25214 of the United States; nor shall foreign Indians be permitted to  
 25215 reside in their reservations without consent of the superintend-  
 25216 ent or agent.

25217 ARTICLE 13. This treaty shall be obligatory on the con-  
 25218 tracting parties as soon as the same shall be ratified by the  
 25219 President and Senate of the United States.

25220 Proclaimed March 3, 1855.

#### 25221 OMAHAS.

25222 FRANKLIN PIERCE, President of the United States of America,  
 25223 to all and singular to whom these presents shall come, greet-  
 25224 ing :

25225 Whereas a treaty was made and concluded at the city of  
 25226 Washington, on the sixteenth day of March, one thousand eight  
 25227 hundred and fifty-four, by George W. Manypenny, commissioner  
 25228 on the part of the United States, and the Omaha tribe of Indians,  
 25229 which treaty is in the words following, to wit :

25230 Articles of agreement and convention made and concluded at  
 25231 the city of Washington, this sixteenth day of March, one  
 25232 thousand eight hundred and fifty-four, by George W. Ma-  
 25233 nypenny, as commissioner on the part of the United States,  
 25234 and the following-named chiefs of the Omaha tribe of In-  
 25235 dians, viz, Shou-ga-ska, or Logan Fontenelle ; E-sta-mah-za,  
 25236 or Joseph Le Flesche ; Gra-tah-nah-je, or Standing Hawk ;  
 25237 Gah-he-ga-gin-gah, or Little Chief ; Ta-wah-gah-ha, or Vil-  
 25238 lage Maker ; Wah-no-ke-ga, or Noise ; So-da-nah-ze, or Yel-  
 25239 low Smoke ; they being thereto duly authorized by said  
 25240 tribe.

25241 ARTICLE 1. The Omaha Indians cede to the United States  
 25242 all their lands west of the Missouri River, and south of a line  
 25243 drawn due west from a point in the centre of the main channel  
 25244 of said Missouri River due east of where the Ayoway River  
 25245 disembogues out of the bluffs, to the western boundary of the

25246 Omaha country, and forever relinquish all right and title to the  
 25247 country south of said line: *Provided, however,* That if the country  
 25248 north of said due west line, which is reserved by the Omahas  
 25249 for their future home, should not on exploration prove to be a  
 25250 satisfactory and suitable location for said Indians, the President  
 25251 may, with the consent of said Indians, set apart and assign to  
 25252 them, within or outside of the ceded country, a residence suited  
 25253 for and acceptable to them. And for the purpose of deter-  
 25254 mining at once and definitely, it is agreed that a delegation of  
 25255 said Indians, in company with their agent, shall, immediately  
 25256 after the ratification of this instrument, proceed to examine the  
 25257 country hereby reserved, and if it please the delegation, and  
 25258 the Indians in counsel express themselves satisfied, then it shall  
 25259 be deemed and taken for their future home; but if otherwise,  
 25260 on the fact being reported to the President, he is authorized to  
 25261 cause a new location, of suitable extent, to be made for the fu-  
 25262 ture home of said Indians, and which shall not be more in ex-  
 25263 tent than three hundred thousand acres, and then and in that  
 25264 case all of the country belonging to the said Indians, north of  
 25265 said due west line, shall be and is hereby ceded to the United  
 25266 States by the said Indians, they to receive the same rate per  
 25267 acre for it, less the number of acres assigned in lieu of it for a  
 25268 home, as now paid for the land south of said line.

25269 ARTICLE 2. The Omahas agree that so soon after the United  
 25270 States shall make the necessary provision for fulfilling the stipu-  
 25271 lations of this instrument, as they can conveniently arrange  
 25272 their affairs, and not to exceed one year from its ratification,  
 25273 they will vacate the ceded country, and remove to the lands re-  
 25274 served herein by them, or to the other lands provided for in lieu  
 25275 thereof, in the preceding article, as the case may be.

25276 ARTICLE 3. The Omahas relinquish to the United States  
 25277 all claims, for money or other thing, under former treaties, and  
 25278 likewise all claim which they may have heretofore, at any time,  
 25279 set up, to any land on the east side of the Missouri River: *Pro-*  
 25280 *vided,* The Omahas shall still be entitled to and receive from the  
 25281 Government the unpaid balance of the twenty-five thousand  
 25282 dollars appropriated for their use, by the act of thirtieth of  
 25283 August, 1851.

25284 ARTICLE 4. In consideration of and payment for the country  
 25285 herein ceded, and the relinquishments herein made, the United  
 25286 States agree to pay to the Omaha Indians the several sums of  
 25287 money following, to wit:

25288 1st. Forty thousand dollars per annum, for the term of  
 25289 three years, commencing on the first day of January, eighteen  
 25290 hundred and fifty-five.

25291        2d. Thirty thousand dollars per annum, for the term of ten  
25292 years, next succeeding the three years.

25293        3d. Twenty thousand dollars per annum, for the term of  
25294 fifteen years, next succeeding the ten years.

25295        4th. Ten thousand dollars per annum, for the term of twelve  
25296 years, next succeeding the fifteen years.

25297        All which several sums of money shall be paid to the Oma-  
25298 has, or expended for their use and benefit, under the direction  
25299 of the President of the United States, who may from time to  
25300 time determine, at his discretion, what proportion of the annual  
25301 payments, in this article provided for, if any, shall be paid to  
25302 them in money, and what proportion shall be applied to and ex-  
25303 pended for their moral improvement and education; for such  
25304 beneficial objects as in his judgment will be calculated to advance  
25305 them in civilization; for buildings, opening farms, fencing, break-  
25306 ing land, providing stock, agricultural implements, seeds, &c.;  
25307 for clothing, provisions, and merchandise; for iron, steel, arms,  
25308 and ammunition; for mechanics, and tools; and for medical  
25309 purposes.

25310        ARTICLE 5. In order to enable the said Indians to settle  
25311 their affairs and to remove and subsist themselves for one year  
25312 at their new home, and which they agree to do without further  
25313 expense to the United States, and also to pay the expenses of  
25314 the delegation who may be appointed to make the exploration  
25315 provided for in article first, and to fence and break up two hun-  
25316 dred acres of land at their new home, they shall receive from  
25317 the United States the further sum of forty-one thousand dollars,  
25318 to be paid out and expended under the direction of the Presi-  
25319 dent, and in such manner as he shall approve.

25320        ARTICLE 6. The President may, from time to time, at his  
25321 discretion, cause the whole or such portion of the land hereby  
25322 reserved, as he may think proper, or of such other land as may  
25323 be selected in lieu thereof, as provided for in article first, to be  
25324 surveyed into lots, and to assign to such Indian or Indians of  
25325 said tribe as are willing to avail of the privilege, and who will  
25326 locate on the same as a permanent home, if a single person over  
25327 twenty-one years of age, one-eighth of a section; to each family  
25328 of two, one quarter section; to each family of three and not  
25329 exceeding five, one half section; to each family of six, and not  
25330 exceeding ten, one section; and to each family over ten in num-  
25331 ber, one quarter section for every additional five members. And  
25332 he may prescribe such rules and regulations as will insure to  
25333 the family, in case of the death of the head thereof, the posses-  
25334 sion and enjoyment of such permanent home and the improve-  
25335 ments thereon. And the President may, at any time, in his  
25336 discretion, after such person or family has made a location

25337 on the land assigned for a permanent home, issue a patent to  
 25338 such person or family for such assigned land, conditioned that  
 25339 the tract shall not be aliened or leased for a longer term than  
 25340 two years, and shall be exempt from levy, sale, or forfeiture,  
 25341 which conditions shall continue in force until a State constitu-  
 25342 tion, embracing such lands within its boundaries, shall have  
 25343 been formed, and the legislature of the State shall remove the  
 25344 restrictions. And if any such person or family shall at any  
 25345 time neglect or refuse to occupy and till a portion of the lands  
 25346 assigned, and on which they have located, or shall rove from  
 25347 place to place, the President may, if the patent shall have been  
 25348 issued, cancel the assignment, and may also withhold from such  
 25349 person or family their proportion of the annuities or other  
 25350 moneys due them, until they shall have returned to such per-  
 25351 manent home, and resumed the pursuits of industry ; and in de-  
 25352 fault of their return the tract may be declared abandoned, and  
 25353 thereafter assigned to some other person or family of such tribe,  
 25354 or disposed of as is provided for the disposition of the excess of  
 25355 said land. And the residue of the land hereby reserved, or of  
 25356 that which may be selected in lieu thereof, after all of the In-  
 25357 dian persons or families shall have had assigned to them perma-  
 25358 nent homes, may be sold for their benefit, under such laws,  
 25359 rules, or regulations, as may hereafter be prescribed by the  
 25360 Congress or President of the United States. No State legisla-  
 25361 ture shall remove the restrictions herein provided for, without  
 25362 the consent of Congress.

25363 ARTICLE 7. Should the Omahas determine to make their per-  
 25364 manent home north of the due west line named in the first article,  
 25365 the United States agree to protect them from the Sioux and all  
 25366 other hostile tribes, as long as the President may deem such  
 25367 protection necessary ; and if other lands be assigned them, the  
 25368 same protection is guaranteed.

25369 ARTICLE 8. The United States agree to erect for the Omahas,  
 25370 at their new home, a grist and saw mill, and keep the same in  
 25371 repair, and provide a miller for ten years ; also to erect a good  
 25372 blacksmith shop, supply the same with tools, and keep it in re-  
 25373 pair for ten years ; and provide a good blacksmith for a like  
 25374 period ; and to employ an experienced farmer for the term of ten  
 25375 years, to instruct the Indians in agriculture.

25376 ARTICLE 9. The annuities of the Indians shall not be taken  
 25377 to pay the debts of individuals.

25378 ARTICLE 10. The Omahas acknowledge their dependence  
 25379 on the Government of the United States, and promise to be  
 25380 friendly with all the citizens thereof, and pledge themselves to  
 25381 commit no depredations on the property of such citizens. And

25382 should any one or more of them violate this pledge, and the fact  
 25383 be satisfactory proven before the agent, the property taken  
 25384 shall be returned, or in default thereof, or if injured or de-  
 25385 stroyed, compensation may be made by the Government out of  
 25386 their annuities. Nor will they make war on any other tribe, ex-  
 25387 cept in self-defence, but will submit all matters of difference be-  
 25388 tween them and other Indians to the Government of the United  
 25389 States, or its agent, for decision, and abide thereby. And if  
 25390 any of the said Omahas commit any depredations on any other  
 25391 Indians, the same rule shall prevail as that prescribed in this  
 25392 article in cases of depredations against citizens.

25393 ARTICLE 11. The Omahas acknowledge themselves in-  
 25394 debted to Lewis Sounsosee, (a half-breed,) for services, the sum  
 25395 of one thousand dollars, which debt they have not been able to  
 25396 pay, and the United States agree to pay the same.

25397 ARTICLE 12. The Omahas are desirous to exclude from their  
 25398 country the use of ardent spirits, and to prevent their people  
 25399 from drinking the same, and therefore it is provided that any  
 25400 Omaha who is guilty of bringing liquor into their country, or  
 25401 who drinks liquor, may have his or her proportion of the annui-  
 25402 ties withheld from him or her for such time as the President may  
 25403 determine.

25404 ARTICLE 13. The board of foreign missions of the Presby-  
 25405 terian Church have, on the lands of the Omahas, a manual-labor  
 25406 boarding-school, for the education of the Omaha, Ottoe, and  
 25407 other Indian youth, which is now in successful operation, and  
 25408 as it will be some time before the necessary buildings can be  
 25409 erected on the reservation, and [it is] desirable that the school  
 25410 should not be suspended, it is agreed that the said board shall  
 25411 have four adjoining quarter sections of land, so as to include as  
 25412 near as may be all the improvements heretofore made by them;  
 25413 and the President is authorized to issue to the proper authority  
 25414 of said board a patent in fee-simple for such quarter sections.

25415 ARTICLE 14. The Omahas agree that all the necessary roads,  
 25416 highways, and railroads, which may be constructed as the coun-  
 25417 try improves, and the lines of which may run through such tract  
 25418 as may be reserved for their permanent home, shall have a right  
 25419 of way through the reservation, a just compensation being paid  
 25420 therefor in money.

25421 ARTICLE 15. This treaty shall be obligatory on the con-  
 25422 tracting parties as soon as the same shall be ratified by the  
 25423 President and Senate of the United States.

25424 Proclaimed June 21, 1854.

25425 *Treaty between the United States of America and the Omaha tribe*  
 25426 *of Indians, concluded March 6, 1865; ratification advised*  
 25427 *February 13, 1866.*

25428 ANDREW JOHNSON, President of the United States of America,  
 25429 to all and singular to whom these presents shall come,  
 25430 greeting:

25431 Whereas a treaty was made and concluded at the city of  
 25432 Washington, in the District of Columbia, on the sixth day of  
 25433 March in the year of our Lord one thousand eight hundred and  
 25434 sixty-five, by and between Clark W. Thompson and Robert W. Fur-  
 25435 nas, commissioners, on the part of the United States, and E-sta-  
 25436 mah-zha, or Joseph La Flesche, Gra-ta-mah-zhe, or Standing  
 25437 Hawk, Ga-he-ga-zhin-ga, or Little Chief; Tah-wah-ga-ha, or Vil-  
 25438 lage Maker; Wah-no-ke-ga, or Noise; Sha-da-na-ge, or Yellow  
 25439 Smoke; Wastch-com-ma-nu, or Hard Walker; Pad-a-ga-he, or  
 25440 Fire Chief; Ta-su, or White Cow; and Ma-ha-nin-ga, or No Knife,  
 25441 chiefs of the Omaha tribe of Indians, on the part of said tribe  
 25442 of Indians and duly authorized thereto by them, which treaty is  
 25443 in the words and figures following, to wit:

25444 Articles of treaty made and concluded at Washington, D. C., on  
 25445 the sixth day of March, A. D. 1865, between the United  
 25446 States of America, by their commissioners, Clark W. Thomp-  
 25447 son, Robert W. Furnas, and the Omaha tribe of Indians by  
 25448 their chiefs, E-sta-mah-za, or Joseph La Flesche; Gra-ta-  
 25449 mah-zhe, or Standing Hawk; Ga-he-ga-zhin-ga, or Little  
 25450 Chief; Tah-wah-gah-ha, or Village Maker; Wah-no-ke-ga,  
 25451 or Noise; Sha-da-na-ge, or Yellow Smoke; Wastch-com-ma-  
 25452 nu, or Hard Walker; Pad-a-ga-he, or Fire Chief; Ta-su, or  
 25453 White Cow; Ma-ha-nin-ga, or No Knife.

25454 ARTICLE 1. The Omaha tribe of Indians do hereby cede,  
 25455 sell, and convey to the United States a tract of land from the  
 25456 north side of their present reservation, defined and bounded as  
 25457 follows, viz: commencing at a point on the Missouri River four  
 25458 miles due south from the north boundary line of said reserva-  
 25459 tion, thence west ten miles, thence south four miles, thence west  
 25460 to the western boundary line of the reservation, thence north  
 25461 to the northern boundary line, thence east to the Missouri River,  
 25462 and thence south along the river to the place of beginning; and  
 25463 that the said Omaha tribe of Indians will vacate and give pos-  
 25464 session of the lands ceded by this treaty immediately after its  
 25465 ratification: *Provided*, That nothing herein contained shall be  
 25466 construed to include any of the lands upon which the said Omaha  
 25467 tribe of Indians have now improvements, or any land or im-  
 25468 provements belonging to, connected with, or used for the ben-

25469 eft of the Missouri school now in existence upon the Omaha  
25470 reservation.

25471       ARTICLE 2. In consideration of the foregoing cession, the  
25472 United States agree to pay to the said Omaha tribe of Indians  
25473 the sum of fifty thousand dollars, to be paid upon the ratifica-  
25474 tion of this treaty, and to be expended by their agent, under  
25475 the direction of the Commissioner of Indian Affairs, for goods,  
25476 provisions, cattle, horses, construction of buildings, farming  
25477 implements, breaking up lands, and other improvements on their  
25478 reservation.

25479       ARTICLE 3. In further consideration of the foregoing  
25480 cession, the United States agree to extend the provisions of  
25481 article 8 of the treaty between the Omaha tribe of Indians  
25482 and the United States, made on the 16th day of March, A. D.  
25483 1854, for a term of ten years from and after the ratification of  
25484 this treaty; and the United States further agree to pay to the  
25485 said Omaha tribe of Indians, upon the ratification of this treaty,  
25486 the sum of seven thousand dollars as damages in consequence  
25487 of the occupancy of a portion of the Omaha reservation not  
25488 hereby ceded, and use and destruction of timber by the Winne-  
25489 bago tribe of Indians while temporarily residing thereon.

25490       ARTICLE 4. The Omaha Indians being desirous of promoting  
25491 settled habits of industry and enterprise amongst themselves by  
25492 abolishing the tenure in common by which they now hold their  
25493 lands, and by assigning limited quantities thereof in severalty  
25494 to the members of the tribe, including their half or mixed blood  
25495 relatives now residing with them, to be cultivated and improved  
25496 for their own individual use and benefit, it is hereby agreed and  
25497 stipulated that the remaining portion of their present reserva-  
25498 tion shall be set apart for said purposes; and that out of the  
25499 same there shall be assigned to each head of a family not ex-  
25500 ceeding one hundred and sixty acres, and to each male person,  
25501 eighteen years of age and upwards, without family, not exceed-  
25502 ing forty acres of land—to include in every case, as far as prac-  
25503 ticable, a reasonable proportion of timber; six hundred and  
25504 forty acres of said lands, embracing and surrounding the present  
25505 agency improvements, shall also be set apart and appropriated  
25506 to the occupancy and use of the agency for said Indians. The  
25507 lands to be so assigned, including those for the use of the agency,  
25508 shall be in as regular and compact a body as possible, and so as  
25509 to admit of a distinct and well-defined exterior boundary. The  
25510 whole of the lands, assigned or unassigned, in severalty, shall  
25511 constitute and be known as the Omaha reservation, within and  
25512 over which all laws passed or which may be passed by Congress,  
25513 regulating trade and intercourse with the Indian tribes, shall  
25514 have full force and effect, and no white person, except such as

25515 shall be in the employ of the United States, shall be allowed to  
 25516 reside or go upon any portion of said reservation without the  
 25517 written permission of the superintendent of Indian affairs, or the  
 25518 agent for the tribe. Said division and assignment of lands to  
 25519 the Omahas in severalty shall be made under the direction of  
 25520 the Secretary of the Interior, and, when approved by him, shall  
 25521 be final and conclusive. Certificates shall be issued by the  
 25522 Commissioner of Indian Affairs for the tracts so assigned, speci-  
 25523 fying the names of the individuals to whom they have been  
 25524 assigned respectively, and that they are for the exclusive use  
 25525 and benefit of themselves, their heirs, and descendants; and  
 25526 said tracts shall not be alienated in fee, leased, or otherwise dis-  
 25527 posed of except to the United States or to other members of the  
 25528 tribe, under such rules and regulations as may be prescribed by  
 25529 the Secretary of the Interior, and they shall be exempt from  
 25530 taxation, levy, sale, or forfeiture, until otherwise provided for by  
 25531 Congress.

25532 ARTICLE 5. It being understood that the object of the  
 25533 Government in purchasing the land herein described is for the  
 25534 purpose of locating the Winnebago tribe thereon, now, therefore,  
 25535 should their location there prove detrimental to the peace,  
 25536 quiet, and harmony of the whites as well as of the two tribes of  
 25537 Indians, then the Omahas shall have the privilege of repur-  
 25538 chasing the land herein ceded upon the same terms they now  
 25539 sell.

25540 Proclaimed February 15, 1866.

#### 25541 OSAGES—GREAT AND LITTLE.

25542 *Articles of a treaty made and concluded at Fort Clark, on the right*  
 25543 *bank of the Missouri, about five miles above the Fire Prairie,*  
 25544 *in the Territory of Louisiana, the tenth day of November, in*  
 25545 *the year of our Lord one thousand eight hundred and eight, be-*  
 25546 *tween Peter Chouteau, esquire, agent for the Osage, and spe-*  
 25547 *cially commissioned and instructed to enter into the same by his*  
 25548 *excellency Meriwether Lewis, governor and superintendent of*  
 25549 *Indian affairs for the Territory aforesaid, in behalf of the*  
 25550 *United States of America, of the one part, and the chiefs and*  
 25551 *warriors of the Great and Little Osage, for themselves and*  
 25552 *their nations respectively, on the other part.*

25553 ARTICLE 1. The United States being anxious to promote  
 25554 peace, friendship, and intercourse with the Osage tribes, to afford  
 25555 them every assistance in their power, and to protect them from

25556 the insults and injuries of other tribes of Indians situated near  
 25557 the settlements of the white people, have thought proper to build  
 25558 a fort on the right bank of the Missouri, a few miles above the  
 25559 Fire Prairie, and do agree to garrison the same with as many  
 25560 regular troops as the President of the United States may, from  
 25561 time to time, deem necessary for the protection of all orderly,  
 25562 friendly, and well-disposed Indians of the Great and Little  
 25563 Osage Nations who reside at this place, and who do strictly con-  
 25564 form to and pursue the counsels or admonitions of the Presi-  
 25565 dent of the United States through his subordinate officers.

25566 ARTICLE 2. Abrogated by treaty of Aug. 31, 1822. Pro-  
 25567 claimed February 19, 1823, page 576.

25568 ARTICLE 3. The United States agree to furnish at this place,  
 25569 for the use of the Osage Nations, a blacksmith, and tools to mend  
 25570 their arms and utensils of husbandry, and engage to build them  
 25571 a horse-mill or water-mill; also to furnish them with ploughs,  
 25572 and to build for the great chief of the Great Osage, and for the  
 25573 great chief of the Little Osage, a strong block-house in each of  
 25574 their towns, which are to be established near this fort.

25575 ARTICLE 4. With a view to quiet the animosities which at  
 25576 present exist between the inhabitants of the Territory of Loui-  
 25577 siana and the Osage Nations, in consequence of the lawless dep-  
 25578 redations of the latter, the United States do further agree to  
 25579 pay to their own citizens the full value of such property as they  
 25580 can legally prove to have been stolen or destroyed by the said  
 25581 Osage since the acquisition of Louisiana by the United States,  
 25582 provided the same does not exceed the sum of five thousand  
 25583 dollars.

25584 ARTICLE 5. In consideration of the lands relinquished by  
 25585 the Great and Little Osage to the United States, as stipulated  
 25586 in the sixth article of this treaty, the United States promise to  
 25587 deliver at Fire Prairie, or at St. Louis, yearly, to the Great  
 25588 Osage Nation, merchandize to the amount or value of one thou-  
 25589 sand dollars, and to the Little Osage Nation, merchandize to the  
 25590 amount or value of five hundred dollars, reckoning the value of  
 25591 said merchandize at the first cost thereof in the city or place in  
 25592 the United States where the same shall have been procured.

25593 And in addition to the merchandize aforesaid, the United  
 25594 States have, at and before the signature of these articles, paid  
 25595 to the Great Osage Nation the sum of eight hundred dollars,  
 25596 and to the Little Osage Nation the sum of four hundred dollars.

25597 ARTICLE 6. And in consideration of the advantages which  
 25598 we derive from the stipulations contained in the foregoing arti-  
 25599 cles, we, the chiefs and warriors of the Great and Little Osage,  
 25600 for ourselves and our nations respectively, covenant and agree  
 25601 with the United States, that the boundary line between our na-

25602 tions and the United States shall be as follows, to wit: begin-  
 25603 ning at Fort Clark, on the Missouri, five miles above Fire  
 25604 Prairie, and running thence a due south course to the river Ar-  
 25605 kansas, and down the same to the Mississippi; hereby ceding  
 25606 and relinquishing forever to the United States all the lands  
 25607 which lie east of the said line, and north of the southwardly  
 25608 bank of the said river Arkansas, and all lands situated north-  
 25609 wardly of the river Missouri. And we do further cede and re-  
 25610 linquish to the United States forever, a tract of two leagues  
 25611 square, to embrace Fort Clark, and to be laid off in such manner  
 25612 as the President of the United States shall think proper.

25613 ARTICLE 7. And it is mutually agreed by the contracting  
 25614 parties that the boundary lines hereby established shall be run  
 25615 and marked at the expense of the United States, as soon as cir-  
 25616 cumstances or their convenience will permit; and the Great and  
 25617 Little Osage promise to depute two chiefs from each of their re-  
 25618 spective nations, to accompany the commissioner or commis-  
 25619 sioners who may be appointed on the part of the United States  
 25620 to settle and adjust the said boundary line.

25621 ARTICLE 8. And the United States agree that such of the  
 25622 Great and Little Osage Indians as may think proper to put  
 25623 themselves under the protection of Fort Clark, and who observe  
 25624 the stipulations of this treaty with good faith, shall be permit-  
 25625 ted to live and to hunt, without molestation, on all that tract of  
 25626 country, west of the north and south boundary line, on which  
 25627 they, the said Great and Little Osage, have usually hunted or  
 25628 resided: *Provided*, The same be not the hunting grounds of any  
 25629 nation or tribe of Indians in amity with the United States; and  
 25630 on any other lands within the Territory of Louisiana, without  
 25631 the limits of the white settlements, until the United States may  
 25632 think proper to assign the same as hunting grounds to other  
 25633 friendly Indians.

25634 ARTICLE 9. Lest the friendship which is now established  
 25635 between the United States and the said Indian nations should  
 25636 be interrupted by the misconduct of individuals, it is hereby  
 25637 agreed that for injuries done by individuals, no private revenge  
 25638 or retaliation shall take place, but instead thereof complaints  
 25639 shall be made by the party injured to the other, by the said na-  
 25640 tions or either of them, to the superintendent or other person  
 25641 appointed by the President to the chiefs of the said nation; and  
 25642 it shall be the duty of the said chiefs, upon complaints being  
 25643 made as aforesaid, to deliver up the person or persons against  
 25644 whom the complaint is made, to the end that he or they may be  
 25645 punished agreeably to the laws of the State or Territory where  
 25646 the offence may have been committed; and in like manner, if  
 25647 any robbery, violence, or murder shall be committed on any In-

25648 dian or Indians belonging to either of said nations, the person  
 25649 or persons so offending shall be tried, and if found guilty, shall  
 25650 be punished in like manner as if the injury had been done to a  
 25651 white man. And it is agreed that the chiefs of the Great and  
 25652 Little Osage shall to the utmost of their power exert themselves  
 25653 to recover horses or other property which may be stolen from  
 25654 any citizen or citizens of the United States, by any individual  
 25655 or individuals of either of their nations; and the property so  
 25656 recovered shall be forthwith delivered to the superintendent or  
 25657 other person authorized to receive it, that it may be restored to  
 25658 the proper owner; and in cases where the exertions of the chiefs  
 25659 shall be ineffectual in recovering the property stolen as afore-  
 25660 said, if sufficient proof can be adduced that such property was  
 25661 actually stolen by any Indian or Indians belonging to the said  
 25662 nations, or either of them, the superintendent, or other proper  
 25663 officer, may deduct from the annuity of the said nations respect-  
 25664 ively a sum equal to the value of the property which has been  
 25665 stolen. And the United States hereby guarantee to any Indian  
 25666 or Indians of the said nations respectively, a full indemnifica-  
 25667 tion for any horses or other property which may be stolen from  
 25668 them by any of their citizens: *Provided*, That the property so  
 25669 stolen cannot be recovered, and that sufficient proof is produced  
 25670 that it was actually stolen by a citizen of the United States.  
 25671 And the said nations of the Great and Little Osage engage, on  
 25672 the requisition or demand of the President of the United States,  
 25673 or of the superintendent, to deliver up any white man resident  
 25674 among them.

25675 ARTICLE 10. The United States receive the Great and Lit-  
 25676 tle Osage Nations into their friendship and under their protec-  
 25677 tion; and the said nations, on their part, declare that they will  
 25678 consider themselves under the protection of no other power  
 25679 whatsoever; disclaiming all right to cede, sell, or in any manner  
 25680 transfer their lands to any foreign power, or to citizens of the  
 25681 United States, or inhabitants of Louisiana, unless duly author-  
 25682 ised by the President of the United States to make the said  
 25683 purchase or accept the said cession on behalf of the Govern-  
 25684 ment.

25685 ARTICLE 11. And if any person or persons, for hunting or  
 25686 other purpose, shall pass over the boundary lines, as established  
 25687 by this treaty, into the country reserved for the Great and Lit-  
 25688 tle Osage Nations, without the license of the superintendent or  
 25689 other proper officer, they, the said Great and Little Osage, or  
 25690 either of them, shall be at liberty to apprehend such unlicensed  
 25691 hunters or other persons, and surrender them, together with  
 25692 their property, but without other injury, insult, or molestation,  
 25693 to the superintendent of Indian affairs, or to the agent nearest  
 25694 the place of arrest, to be dealt with according to law.

25695 ARTICLE 12. And the chiefs and warriors, as aforesaid,  
 25696 promise and engage that neither the Great nor Little Osage Na-  
 25697 tion will ever, by sale, exchange, or as presents, supply any na-  
 25698 tion or tribe of Indians, not in amity with the United States,  
 25699 with guns, ammunitions, or other implements of war.

25700 ARTICLE 13. This treaty shall take effect and be obligatory  
 25701 on the contracting parties, as soon as the same shall have been  
 25702 ratified by the President, by and with the advice and consent of  
 25703 the Senate of the United States.

25704 Ratified April 28, 1810.

25705 N. B.—All claims and interest under this treaty are given up  
 25706 by the treaty proclaimed March 2, 1839. (See page 583.)

25707 *A treaty of peace and friendship made and concluded between Wil-*  
 25708 *liam Clark, Ninian Edwards, and Auguste Chouteau, com-*  
 25709 *missioners plenipotentiary of the United States of America,*  
 25710 *on the part and behalf of the said States, of the one part, and*  
 25711 *the undersigned king, chiefs, and warriors, of the Great and*  
 25712 *Little Osage tribes or nations, on the part and behalf of their*  
 25713 *said tribes or nations, of the other part.*

25714 The parties being desirous of re-establishing peace and  
 25715 friendship between the United States and the said tribes or na-  
 25716 tions, and of being placed in all things, and in every respect, on  
 25717 the same footing upon which they stood before the war, have  
 25718 agreed to the following articles:

25719 ARTICLE 1. Every injury, or act of hostility, by one or  
 25720 either of the contracting parties against the other shall be mu-  
 25721 tually forgiven and forgot.

25722 ARTICLE 2. There shall be perpetual peace and friendship  
 25723 between all the citizens of the United States of America and  
 25724 all the individuals composing the said Osage tribes or nations.

25725 ARTICLE 3. The contracting parties, in the sincerity of mu-  
 25726 tual friendship, recognize, re-establish, and confirm, all and  
 25727 every treaty, contract, and agreement, heretofore concluded be-  
 25728 tween the United States and the said Osage tribes or nations.

25729 Ratified December 26, 1815.

25730 *A treaty made and concluded by and between William Clark gov-*  
 25731 *ernor of the Missouri Territory, superintendent of Indian af-*  
 25732 *airs, and commissioner in behalf of the United States, of the*  
 25733 *one part; and a full and complete deputation of considerate*  
 25734 *men, chiefs, and warriors of all the several bands of the Great*  
 25735 *and Little Osage Nation, assembled in behalf of their said na-*  
 25736 *tion, of the other part, have agreed to the following articles:*

25737 ARTICLE 1. Whereas the Osage Nations have been embar-  
 25738 rassed by the frequent demands for property taken from the citizens

25739 of the United States, by war-parties and other thoughtless men  
 25740 of their several bands, (both before and since their war with the  
 25741 Cherokees,) and as the exertions of their chiefs have been ineffectual  
 25742 in recovering and delivering such property, conformably  
 25743 with the condition of the ninth article of a treaty entered into  
 25744 with the United States at Fort Clark, the tenth of November,  
 25745 one thousand eight hundred and eight; and as the deductions  
 25746 from their annuities, in conformity to the said article, would  
 25747 deprive them of any for several years, and being destitute of  
 25748 funds to do that justice to the citizens of the United States  
 25749 which is calculated to promote a friendly intercourse, they have  
 25750 agreed, and do hereby agree, to cede to the United States, and  
 25751 forever quit-claim to, the tract of country included within the  
 25752 following bounds, to wit: Beginning at the Arkansaw River, at  
 25753 where the present Osage boundary-line strikes the river at Frog  
 25754 Bayou; then up the Arkansaw and Verdigris to the falls of  
 25755 Verdigris River; thence, eastwardly, to the said Osage boundary-line,  
 25756 at a point twenty leagues north from the Arkansaw  
 25757 River; and, with that line, to the place of beginning.

25758 ARTICLE 2. The United States, on their part, and in consideration  
 20759 of the above cession, agree, in addition to the amount  
 25760 which the Osage do now receive in money and goods, to pay  
 25761 their own citizens the full value of such property as they can  
 25762 legally prove to have been stolen or destroyed by the said Osage,  
 25763 since the year one thousand eight hundred and fourteen: *Provided*,  
 25764 The same does not exceed the sum of four thousand dollars.  
 25765

25766 ARTICLE 3. The articles now stipulated will be considered  
 20767 as permanent additions to the treaties now in force, between the  
 25768 contracting parties, as soon as they shall have been ratified by  
 25769 the President of the United States of America, by and with  
 25770 the advice and consent of the Senate of the said United States.

25771 Proclaimed January 7, 1819.

25772 *Articles of a treaty entered into and concluded at the United States'*  
 25773 *Factory, on the M. De Cigue—(Marais des Cygnes)—Augt., by*  
 25774 *and between Richard Graham, agent of Indian affairs, authorized*  
 25775 *on the part of the United States for that purpose, and the*  
 25776 *chiefs, warriors, and head-men of the tribes of Great and Little*  
 25777 *Osage Indians, for themselves and their respective tribes, of the*  
 25778 *other part.*

25779 Whereas by the second article of the treaty made and entered  
 25780 into between the United States and the Great and Little  
 25781 Osage Nation of Indians, concluded and signed at Fort Clark,

25782 on the Missouri, on the tenth day of November, one thousand  
 25783 eight hundred and eight, it is stipulated that the United States  
 25784 shall establish, at that place, and permanently continue, at all  
 25785 seasons of the year, a well-assorted store of goods, for the pur-  
 25786 pose of bartering with them on moderate terms for their peltries  
 25787 and furs: Now we, the said chiefs, warriors, and head-men, in  
 25788 behalf of our said tribes, for and in consideration of two thou-  
 25789 sand three hundred and twenty-nine dollars and forty cents, to  
 25790 us now paid in merchandize, out of the United States' factory,  
 25791 by said Richard Graham, on behalf of the United States, the  
 25792 receipt whereof is hereby acknowledged, do exonerate, release,  
 25793 and forever discharge the United States from the obligation  
 25794 contained in the said second article above mentioned; and the  
 25795 aforesaid second article is, from the date hereof, abrogated and  
 25796 of no effect.

25797 Proclaimed February 19, 1823.

25798 *Articles of a treaty made and concluded at St. Louis, in the State*  
 25799 *of Missouri, between William Clark, superintendent of Indian*  
 25800 *affairs, commissioner, on the part of the United States, and*  
 25801 *the undersigned, chiefs, head-men, and warriors of the Great*  
 25802 *and Little Osage tribes of Indians, duly authorized and em-*  
 25803 *powered by their respective tribes or nations.*

25804 In order more effectually to extend to said tribes that pro-  
 25805 tection of the Government so much desired by them, it is agreed  
 25806 as follows:

25807 ARTICLE 1. The Great and Little Osage tribes or nations  
 25808 do hereby cede and relinquish, to the United States, all their  
 25809 right, title, interest, and claim to lands lying within the State  
 25810 of Missouri and Territory of Arkansas, and to all lands lying  
 25811 west of the said State of Missouri and Territory of Arkansas,  
 25812 north and west of the Red River, south of the Kansas River,  
 25813 and east of a line to be drawn from the head sources of the  
 25814 Kansas, southwardly through the Rock Saline, with such reser-  
 25815 vations, for such considerations, and upon such terms, as are  
 25816 hereinafter specified, expressed, and provided for.

25817 ARTICLE 2. Within the limits of the country above ceded  
 25818 and relinquished, there shall be reserved, to and for the Great  
 25819 and Little Osage tribes or nations, aforesaid, so long as they  
 25820 may choose to occupy the same, the following-described tract of  
 25821 land: beginning at a point due east of White Hair's Village,  
 25822 and twenty-five miles west of the western boundary-line of the  
 25823 State of Missouri, fronting on a north and south line, so as to  
 25824 leave ten miles north, and forty miles south, of the point of said

25825 beginning, and extending west, with the width of fifty miles, to  
 25826 the western boundary of the lands hereby ceded and relin-  
 25827 quished by said tribes or nations; which said reservation shall  
 25828 be surveyed and marked, at the expense of the United States,  
 25829 and upon which the agent for said tribes or nations and all  
 25830 persons attached to said agency, as also such teachers and in-  
 25831 structors as the President may think proper to authorise and  
 25832 permit, shall reside, and shall occupy and cultivate, without  
 25833 interruption or molestation, such lands as may be necessary for  
 25834 them. And the United States do hereby reserve to themselves,  
 25835 forever, the right of navigating, freely, all water-courses and  
 25836 navigable streams, within or running through the tract of coun-  
 25837 try above reserved to said tribes or nations.

25838 ARTICLE 3. In consideration of the cession and relinquish-  
 25839 ment, aforesaid, the United States do, hereby, agree to pay to  
 25840 the said tribes or nations, yearly, and every year, for twenty  
 25841 years, from the date of these presents, the sum of seven thou-  
 25842 sand dollars, at their village, or at St. Louis, as the said tribes  
 25843 or nations may desire, either in money, merchandize, provisions,  
 25844 or domestic animals, at their option. And whenever the said  
 25845 annuity, or any part thereof, shall be paid in merchandize, the  
 25846 same is to be delivered to them at the first cost of the goods at  
 25847 St. Louis, free of transportation.

25848 ARTICLE 4. The United States shall, immediately upon the  
 25849 ratification of this convention, or as soon thereafter as may be,  
 25850 cause to be furnished to the tribes or nations aforesaid, six  
 25851 hundred head of cattle, six hundred hogs, one thousand domestic  
 25852 fowls, ten yoke of oxen, and six carts, with such farming uten-  
 25853 sils as the superintendent of Indian affairs may think necessary,  
 25854 and shall employ such persons to aid them in their agricultural  
 25855 pursuits as to the President of the United States may seem  
 25856 expedient, and shall also provide, furnish, and support for them  
 25857 one blacksmith, that their farming utensils, tools, and arms may  
 25858 be seasonably repaired; and shall build for each of the four  
 25859 principal chiefs, at their respective villages, a comfortable and  
 25860 commodious dwelling-house.

25861 ARTICLE 5. From the above lands ceded and relinquished,  
 25862 the following reservations for the use of the half-breeds hereafter  
 25863 named shall be made, to wit: One section, or six hundred and  
 25864 forty acres, for Augustus Clermont, to be located and laid off so  
 25865 as to include Joseph Rivar's residence, on the east side of the  
 25866 Neosho, a short distance above the Grand Saline, and not nearer  
 25867 than within one mile thereof; one section for each of the fol-  
 25868 lowing half-breeds: James, Paul, Henry, Rosalie, Anthony, and  
 25869 Amelia, the daughter of She-me-hunga, and Amelia, the daughter  
 25870 of Mi-hun-ga, to be located two miles below the Grand Saline,

25871 and extending down the Neosho on the east side thereof; and  
 25872 one section for Noel Mongrain, the son of Wa-taw-nagres, and  
 25873 for each of his ten children, Baptiste, Noel, Francis, Joseph,  
 25874 Mongrain, Louis, Victoria, Sophia, Julia, and Juliet; and the  
 25875 like quantity for each of the following-named grandchildren of  
 25876 the said Noel Mongrain, to wit: Charles, Francis, Louisson, and  
 25877 Wash, to commence on the Marias des Cygnes, where the western  
 25878 boundary line of the State of Missouri crosses it at the fork of  
 25879 Mine River, and to extend up Mine River, for quantity; one  
 25880 section for Mary Williams and one for Sarah Williams, to be  
 25881 located on the north side of the Marias des Cygnet, at the Double  
 25882 Creek, above Harmony; one section for Francis T. Chardon;  
 25883 one section for Francis C. Tayon; one section for James G. Chou-  
 25884 teau; one section for Alexander Chouteau; one section for Pel-  
 25885 agie Antaya; one section for Celeste Antaya; one section for  
 25886 Joseph Antaya; one section for Baptiste St. Mitchelle, jr.; one  
 25887 section for Louis St. Mitchelle; one section for Victoria St. Mitch-  
 25888 elle; one section for Julia St. Mitchelle; one section for Francis  
 25889 St. Mitchelle; one section for Joseph Perra; one section for Susan  
 25890 Larine; one section for Marguerite Reneau; one section for  
 25891 Thomas L. Balio; and one section for Terese, the daughter of  
 25892 Paul Louise; which said several tracts are to be located on the  
 25893 north side of the Marais des Cygnes, extending up the river  
 25894 above the reservations in favour of Mary and Sarah Williams,  
 25895 in the order in which they are herein above named.

25896 ARTICLE 6. And also fifty-four other tracts, of a mile square  
 25897 each, to be laid off under the direction of the President of the  
 25898 United States, and sold, for the purpose of raising a fund to be  
 25899 applied to the support of schools, for the education of the Osage  
 25900 children, in such a manner as the President may deem most ad-  
 25901 visable to the attainment of that end.

25902 ARTICLE 7. Forasmuch as there is a debt due from sun-  
 25903 dry individuals of the Osage tribes or nations to the United  
 25904 States trading houses of the Missouri and Osage Rivers, amount-  
 25905 ing in the whole to about the sum of four thousand one hun-  
 25906 dred and five dollars and eighty cents, which the United States  
 25907 do hereby agree to release; in consideration thereof, the said  
 25908 tribes or nations do, hereby, release and relinquish their claim  
 25909 upon the United States, for regular troops to be stationed, for  
 25910 their protection, in garrison, at Fort Clark, and, also, for furnish-  
 25911 ing of a blacksmith at that place, and the delivery of merchan-  
 25912 dise at Fire Prairie, as is provided for in the first, third, and  
 25913 fifth articles of the treaty concluded on the tenth day of No-  
 25914 vember, one thousand eight hundred and eight.

25915 ARTICLE 8. It appearing that the Delaware Nation have  
 25916 various claims against the Osages, which the latter have not had

25917 it in their power to adjust, and the United States being desirous  
 25918 to settle, finally and satisfactory, all demands and differences  
 25919 between the Delawares and Osages, do hereby agree to pay to  
 25920 the Delawares, in full satisfaction of all their claims and de-  
 25921 mands against the Osages, the sum of one thousand dollars.

25922 ARTICLE 9. With a view to quiet the animosities which at  
 25923 present exist between a portion of the citizens of Missouri and  
 25924 Arkansas and the Osage tribes, in consequence of the lawless  
 25925 depredations of the latter, the United States do, furthermore,  
 25926 agree to pay, to their own citizens, the full value of such pro-  
 25927 perty as they can legally prove to have been stolen or destroyed  
 25928 by the Osages since the year eighteen hundred and eight, and  
 25929 for which payment has not been made under former treaties: *Pro-*  
 25930 *vided*, The sum to be paid by the United States does not exceed  
 25931 the sum of five thousand dollars.

25932 ARTICLE 10. It is furthermore agreed on, by and between  
 25933 the parties to these presents, that there shall be reserved two  
 25934 sections of land, to include the Harmony Missionary establish-  
 25935 ment, and their mill, on the Marias des Cyngé; and one section,  
 25936 to include the missionary establishment above the Lick on the  
 25937 west side of Grand River, to be disposed of as the President of  
 25938 the United States shall direct, for the benefit of said missions,  
 25939 and to establish them at the principal villages of the Great and  
 25940 Little Osage Nations, within the limits of the country reserved  
 25941 to them by this treaty, and to be kept up at said villages, so  
 25942 long as said missions shall be usefully employed in teaching,  
 25943 civilizing, and improving the said Indians.

25944 ARTICLE 11. To preserve and perpetuate the friendship  
 25945 now happily subsisting between the United States and the said  
 25946 tribes or nations, it is hereby agreed that the provisions con-  
 25947 tained in the ninth article of the treaty concluded and signed at  
 25948 Fort Clark, on the tenth day of November, one thousand eight  
 25949 hundred and eight, between the United States and the said tribes  
 25950 or nations, shall, in every respect, be considered as in full force  
 25951 and applicable to the provisions of this treaty, and that the  
 25952 United States shall take and receive into their friendship and  
 25953 protection the aforesaid tribes or nations, and shall guaranty to  
 25954 them, forever, the right to navigate, freely, all water-courses or  
 25955 navigable streams within the tract of country hereby ceded, upon  
 25956 such terms as the same are or may be navigated by the citizens  
 25957 of the United States.

25958 ARTICLE 12. It is further agreed that there shall be deliv-  
 25959 ered as soon as may be, after the execution of this treaty, at the  
 25960 Osage villages, merchandize to the amount of four thousand  
 25961 dollars, first cost in St. Louis, and two thousand dollars in mer-  
 25962 chandize before their departure from this place; and horses

25963 and equipage to the value of twenty-six hundred dollars; which,  
 25964 together with the sum of one hundred dollars, to be paid to Paul  
 25965 Loise, and the like sum to Baptiste Mongrain, in money, shall  
 25966 be in addition to the provisions and stipulations hereby above con-  
 25967 tained, in full satisfaction of the cession hereinbefore agreed on.

25968 ARTICLE 13. Whereas the Great and Little Osage tribes or  
 25969 nations are indebted to Augustus P. Chouteau, Paul Balio, and  
 25970 William P. Williams, to a large amount, for credits given to  
 25971 them, which they are unable to pay, and have particularly re-  
 25972 quested to have paid or provided for in the present negotiation;  
 25973 it is, therefore, agreed on, by and between the parties to these  
 25974 presents, that the United States shall pay to Augustus P. Chou-  
 25975 teau one thousand dollars; to Paul Balio two hundred and  
 25976 fifty dollars, and to William S. Williams two hundred and fifty  
 25977 dollars, towards the liquidations of their respective debts due  
 25978 from the said tribes or nations.

25979 ARTICLE 14. These articles shall take effect, and become  
 25980 obligatory on the contracting parties, so soon as the same shall  
 25981 be ratified by the President, by and with the advice and consent  
 25982 of the Senate of the United States.

25983 Proclaimed December 30, 1825.

25984 N. B.—All claims or interest under this treaty, except the  
 25985 sixth article, are give up by the treaty proclaimed March 2, 1839,  
 25986 (see page 583.)

25987 *Treaty with the Great and Little Osages.*

25988 Whereas the Congress of the United States of America being  
 25989 anxious to promote a direct commercial and friendly intercourse  
 25990 between the citizens of the United States and those of the Mexi-  
 25991 can republic, and to afford protection to the same, did, at their  
 25992 last session, pass an act, which was approved the 3d March,  
 25993 1825, "to authorize the President of the United States to cause  
 25994 a road to be marked out from the western frontier of Missouri,  
 25995 to the confines of New Mexico," and which authorizes the Presi-  
 25996 dent of the United States to appoint commissioners to carry said  
 25997 act of Congress into effect, and enjoins on the commissioners so  
 25998 to be appointed that they first obtain the consent of the inter-  
 25999 vening tribes of Indians, by treaty, to the making of said road,  
 26000 and to the unmolested use thereof to the citizens of the United  
 26001 States and of the Mexican republic; and Benjamin H. Reeves,  
 26002 Geo. C. Sibley, and Thomas Mather, commissioners duly appoint-  
 26003 ed as aforesaid, being duly and fully authorized, have this day  
 26004 met the chiefs and head-men of the Great and Little Osage Na-  
 26005 tions, who being all duly authorized to meet and negotiate with  
 26006 the said commissioners upon the premises, and being specially

26007 met for that purpose, by the invitation of said commissioners,  
 26008 at the place called the Council Grove, on the River Nee-o-zho,  
 26009 one hundred and sixty miles southwest from Fort Osage, have,  
 26010 after due deliberation and consultation, agreed to the following  
 26011 treaty, which is to be considered binding on the said Great and  
 26012 Little Osages, from and after this day :

26013 ARTICLE 1. The chiefs and head-men of the Great and Lit-  
 26014 tle Osages, for themselves and their nations, respectively, do  
 26015 consent and agree that the commissioners of the United States  
 26016 shall and may survey and mark out a road, in such manner as  
 26017 they may think proper, through any of the territory owned or  
 26018 claimed by the said Great and Little Osage Nations.

26019 ARTICLE 2. The chiefs and head-men as aforesaid do fur-  
 26020 ther agree that the road authorized in article 1 shall, when  
 26021 marked, be forever free for the use of the citizens of the United  
 26022 States and of the Mexican republic, who shall at all times pass  
 26023 and repass thereon, without any hindrance or molestation on the  
 26024 part of the said Great and Little Osages.

26025 ARTICLE 3. The chiefs and head-men as aforesaid, in consid-  
 26026 eration of the friendly relations existing between them and the  
 26027 United States, do further promise, for themselves and their peo-  
 26028 ple, that they will, on all fit occasions, render such friendly aid  
 26029 and assistance as may be in their power, to any of the citizens  
 26030 of the United States, or of the Mexican republic, as they may  
 26031 at any time happen to meet or fall in with on the road aforesaid.

26032 ARTICLE 4. The chiefs and head-men, as aforesaid, do fur-  
 26033 ther consent and agree that the road aforesaid shall be considered  
 26034 as extending to a reasonable distance on either side, so that  
 26035 travellers thereon may, at any time, leave the marked tract, for  
 26036 the purpose of finding subsistence and proper camping places.

26037 ARTICLE 5. In consideration of the privileges granted by  
 26038 the chiefs of the Great and Little Osages in the three preceding  
 26039 articles, the said commissioners on the part of the United States  
 26040 have agreed to pay to them, the said chiefs, for themselves and  
 26041 their people, the sum of five hundred dollars ; which sum is to  
 26042 be paid them as soon as may be, in money or merchandize, at  
 26043 their option, at such place as they may desire.

26044 ARTICLE 6. And the said chiefs and head-men, as aforesaid,  
 26045 acknowledge to have received from the commissioners aforesaid,  
 26046 at and before the signing of this treaty, articles of merchandize  
 26047 to the value of three hundred dollars ; which sum of three hun-  
 26048 dred dollars, and the payment stipulated to be made to the said  
 26049 Osages in article 5, shall be considered, and are so considered  
 26050 by said chiefs, as full and complete compensation for every privi-  
 26051 lege herein granted by said chiefs.

26052 Proclaimed May 3, 1826.

26053 *Articles of a treaty made and concluded at Fort Gibson, west of*  
 26054 *Arkansas, between Brigadier-General M. Arbuckle, commis-*  
 26055 *sioner on the part of the United States, and the chiefs, head-*  
 26056 *men, and warriors of the Great and Little Osage Indians, duly*  
 26057 *authorized by their respective bands.*

26058 ARTICLE 1. The Great and Little Osage Indians make the  
 26059 following cessions to the United States:

26060 First. Of all titles or interest in any reservation heretofore  
 26061 claimed by them, within the limits of any other tribe.

26062 Second. Of all claims or interests under the treaties of  
 26063 November tenth, one thousand eight hundred and eight, and  
 26064 June second, one thousand eight hundred and twenty-five, except  
 26065 so much of the latter as is contained in the sixth article thereof,  
 26066 and the said Indians bind themselves to remove from the lands  
 26067 of other tribes, and to remain within their own boundaries.

26068 ARTICLE 2. In consideration of the cessions and obligations  
 26069 contained in the preceding article, the United States agree to  
 26070 the following stipulations on their part:

26071 First. To pay to the said Great and Little Osage Indians,  
 26072 for the term of twenty years, an annuity of twenty thousand  
 26073 dollars to be paid in the Osage Nation, twelve thousand in money  
 26074 and eight thousand in goods, stock, provisions, or money, as the  
 26075 President may direct.

26076 Second. To furnish the Osage Nation, for the term of twenty  
 26077 years, two blacksmiths and two assistants, the latter to be taken  
 26078 from the Osage Nation, and to receive two hundred and twenty-  
 26079 five dollars each per year; each smith to be furnished with a  
 26080 dwelling-house, shop and tools, and five hundred pounds of iron,  
 26081 and sixty pounds of steel annually.

26082 Third. To furnish the Osage Nation with a grist and saw  
 26083 mill, a miller to each for fifteen years, and an assistant to each  
 26084 for eleven years, the latter to be taken from the Osage Nation,  
 26085 and receive each two hundred and twenty-five dollars per year;  
 26086 each miller to be furnished with a dwelling-house, and the nec-  
 26087 essary tools.

26088 Fourth. To supply the said Great and Little Osage Indians  
 26089 within their country with one thousand cows and calves, two  
 26090 thousand breeding hogs, one thousand ploughs; one thousand  
 26091 sets of horse gear; one thousand axes, and one thousand hoes;  
 26092 to be distributed under the direction of their agent and chiefs,  
 26093 as follows, viz: to each family who shall form an agricultural  
 26094 settlement, one cow and calf, two breeding hogs, one plough,  
 26095 one set of horse gear, one axe, and one hoe. The stock, tools,  
 26096 &c., to be in readiness for delivery as soon as practicable after  
 26097 the ratification of this treaty, and the Osages shall have com-  
 26098 plied with the stipulations herein contained.

26099 Fifth. To furnish the following-named chiefs, viz, Pa-hu-sea,  
 26100 Clermont, Chiga-wa-sa, Ka-he-gais-tanga, Tawan-ga-hais, Wa-  
 26101 cho-chais, Ni-ka-wa-chin-tanga, Tally, Gui-hira-ba-chais, Bap-  
 26102 tisté Mongrain, each with a house worth two hundred dollars ;  
 26103 and the following-named chiefs, viz, Chi-to-ka-sa-bais, Wa-ta-  
 26104 ni-ga, Wa-tier-chi-ga, Chon-ta-sa-bais, Nan-gais-wa-ha-qui hais,  
 26105 Ka-hi-gais-stier-de-gais, Man-haie-spais-we-te-chis, Chow-gais-mo-  
 26106 non, Gre-tan-man-sais, Kan-sais-ke-cris, Cho-mi-ka-sais, Man-  
 26107 cha-ki-da-chi-ga, each with a house worth one hundred dollars,  
 26108 and to furnish the above-named chiefs with six good wagons,  
 26109 sixteen carts, and twenty-eight yoke of oxen, with a yoke and  
 26110 log-chain to each yoke of oxen, to be delivered to them in their  
 26111 own country, as soon as practicable after the ratification of this  
 26112 treaty.

26113 Sixth. To pay all claims against said Osages, for depreda-  
 26114 tions committed by them against other Indians or citizens of  
 26115 the United States, to an amount not exceeding thirty thousand  
 26116 dollars, provided that the said claims shall be previously ex-  
 26117 amined under the direction of the President.

26118 Seventh. To purchase the reservations provided for individ-  
 26119 uals in the fifth article of the treaty of June second, one thousand  
 26120 eight hundred and twenty-five, at not exceeding two dollars per  
 26121 acre, to be paid to the respective reserveyees, excepting, however,  
 26122 from this provision, the tracts that were purchased in the fourth  
 26123 article of the treaty with the Cherokees of December twenty-  
 26124 ninth, one thousand eight hundred and thirty-five.

26125 Eighth. To re-imburse the sum of three thousand dollars de-  
 26126 ducted from their annuity in one thousand eight hundred and  
 26127 twenty-five, to pay for property taken by them, which they have  
 26128 since returned.

26129 Ninth. To pay to Clermont's band their portion of the annuity  
 26130 for one thousand eight hundred and twenty-nine, which was  
 26131 wrongfully withheld from them by the agent of the Govern-  
 26132 ment, amounting to three thousand dollars.

26133 ARTICLE 3. This treaty shall be binding on both parties  
 26134 when ratified by the United States Senate.

26135 Proclaimed March 2, 1839.

26136 *Treaty between the United States of America and the Great and*  
 26137 *Little Osage Indians, concluded September 29, 1865 ; ratifi-*  
 26138 *cation advised, with amendments, June 26, 1866 ; amendments*  
 26139 *accepted September 21, 1866 ; proclaimed January 21, 1867.*

26140 ANDREW JOHNSON, President of the United States of America,  
 26141 to all and singular to whom these presents shall come, greet-  
 26142 ing:

26143 Whereas a treaty was made and concluded at Canville Trad-

26144 ing Post, Osage Nation, in the State of Kansas, on the twenty-  
 26145 ninth day of September, in the year of our Lord one thousand  
 26146 eight hundred and sixty-five, by and between D. N. Cooley and  
 26147 Elijah Sells, commissioners on the part of the United States,  
 26148 and White Hair, Little Bear, (Me-tso-shin-ca,) and other chiefs  
 26149 of the tribe of Great and Little Osage Indians, on the part of  
 26150 said tribe of Indians, and duly authorized thereto by them,  
 26151 which treaty is in the words and figures following, to wit :

26152 Articles of treaty and convention made and concluded at Can-  
 26153 ville Trading Post, Osage Nation, within the boundary of  
 26154 the State of Kansas, on the twenty-ninth day of Septem-  
 26155 ber, eighteen hundred and sixty-five, by and between D. N.  
 26156 Cooley, Commissioner of Indian Affairs, and Elijah Sells,  
 26157 superintendent of Indian affairs for the southern superin-  
 26158 tendency, commissioners on the part of the United States,  
 26159 and the chiefs of the tribe of Great and Little Osage Indians,  
 26160 the said chiefs being duly authorized to negotiate and treat  
 26161 by said tribes.

26162 ARTICLE 1. The tribe of the Great and Little Osage In-  
 26163 dians, having now more lands than are necessary for their oc-  
 26164 cupation, and all payments from the Government to them under  
 26165 former treaties having ceased, leaving them greatly impover-  
 26166 ished, and being desirous of improving their condition by dis-  
 26167 posing of their surplus lands, do hereby grant and sell to the  
 26168 United States the lands contained within the following bound-  
 26169 aries, that is to say: Beginning at the southeast corner of their  
 26170 present reservation, and running thence north with the eastern  
 26171 boundary thereof fifty miles, to the northeast corner; thence  
 26172 west with the northern line thirty miles; thence south fifty  
 26173 miles, to the southern boundary of said reservation; and thence  
 26174 east with said southern boundary to the place of beginning:  
 26175 *Provided*, That the western boundary of said land herein ceded  
 26176 shall not extend further westward than upon a line commencing  
 26177 at a point on the southern boundary of said Osage coun-  
 26178 try one mile east of the place where the Verdigris River  
 26179 crosses the southern boundary of the State of Kansas. And,  
 26180 in consideration of the grant and sale to them of the above-  
 26181 described lands, the United States agree to pay the sum of  
 26182 three hundred thousand dollars, which sum shall be placed  
 26183 to the credit of said tribe of Indians in the Treasury of the  
 26184 United States, and interest thereon at the rate of five per  
 26185 centum per annum shall be paid to said tribes semi-annually, in  
 26186 money, clothing, provisions, or such articles of utility as the  
 26187 Secretary of the Interior may, from time to time, direct. Said  
 26188 lands shall be surveyed and sold, under the direction of the  
 26189 Secretary of the Interior, on the most advantageous terms, for

26190 cash, as public lands are surveyed and sold under existing laws,  
 26191 including any act granting lands to the State of Kansas in aid  
 26192 of the construction of a railroad through said lands; but no  
 26193 pre-emption claim or homestead settlement shall be recognized;  
 26194 and after re-imbursing the United States the cost of said survey  
 26195 and sale, and the said sum of three hundred thousand dollars  
 26196 placed to the credit of said Indians, the remaining proceeds of  
 26197 sales shall be placed in the Treasury of the United States to the  
 26198 credit of the "civilization fund," to be used, under the direction  
 26199 of the Secretary of the Interior, for the education and civiliza-  
 26200 tion of Indian tribes residing within the limits of the United  
 26201 States.

26202       ARTICLE 2. The said tribe of Indians also hereby cede to  
 26203 the United States a tract of land twenty miles in width from  
 26204 north to south, off the north side of the remainder of their  
 26205 present reservation, and extending its entire length from east  
 26206 to west; which land is to be held in trust for said Indians, and  
 26207 to be surveyed and sold for their benefit under the direction of  
 26208 the Commissioner of the General Land-Office, at a price not less  
 26209 than one dollar and twenty-five cents per acre, as other lands are  
 26210 surveyed and sold, under such rules and regulations as the  
 26211 Secretary of the Interior shall from time to time prescribe. The  
 26212 proceeds of such sales, as they accrue, after deducting all ex-  
 26213 penses incident to the proper execution of the trust, shall be  
 26214 placed in the Treasury of the United States to the credit of said  
 26215 tribe of Indians; and the interest thereon, at the rate of five per  
 26216 centum per annum, shall be expended annually for building houses,  
 26217 purchasing agricultural implements and stock animals, and for  
 26218 the employment of a physician and mechanics, and for providing  
 26219 such other necessary aid as will enable said Indians to com-  
 26220 mence agricultural pursuits under favorable circumstances:  
 26221 *Provided*, That twenty-five per centum of the net proceeds  
 26222 arising from the sale of said trust lands, until said percentage  
 26223 shall amount to the sum of eighty thousand dollars, shall be  
 26224 placed to the credit of the school fund of said Indians, and the  
 26225 interest thereon, at the rate of five per centum per annum, shall  
 26226 be expended semi-annually for the boarding, clothing, and educa-  
 26227 tion of the children of said tribe.

26228       ARTICLE 3. The Osage Indians, being sensible of the great  
 26229 benefits they have received from the Catholic mission, situate in  
 26230 that portion of their reservation herein granted and sold to the  
 26231 United States, do hereby stipulate that one section of said land,  
 26232 to be selected by the Commissioner of Indian Affairs so as to in-  
 26233 clude the improvements of said mission, shall be granted in fee-  
 26234 simple to John Schoenmaker, in trust, for the use and benefit of  
 26235 the society sustaining said mission, with the privilege to said

26236 Schoenmaker, on the payment of one dollar and twenty-five cents  
 26237 per acre, of selecting and purchasing two sections of land adjoin-  
 26238 ing the section above granted; the said selection to be held in  
 26239 trust for said society, and to be selected in legal subdivisions of  
 26240 surveys, and subject to the approval of the Secretary of the  
 26241 Interior.

26242 ARTICLE 4. All loyal persons, being heads of families and  
 26243 citizens of the United States, or members of any tribe at peace  
 26244 with the United States, having made settlements and improve-  
 26245 ments as provided by the pre-emption laws of the United States  
 26246 and now residing on the lands provided to be sold by the United  
 26247 States, in trust for said tribe, as well as upon the said lands  
 26248 herein granted and sold to the United States, shall have the  
 26249 privilege, at any time within one year after the ratification of  
 26250 this treaty, of buying a quarter section each, at one dollar and  
 26251 twenty-five cents per acre; such quarter section to be selected  
 26252 according to the legal subdivision of surveys, and to include, as  
 26253 far as practicable, the improvements of the settler.

26254 ARTICLE 5. The Osages being desirous of paying their just  
 26255 debts to James N. Coffey and A. B. Canville, for advances in  
 26256 provisions, clothing, and other necessities of life, hereby agree  
 26257 that the superintendent of Indian affairs for the southern super-  
 26258 intendency and the agent of the tribe shall examine all claims  
 26259 against said tribe, and submit the same to the tribe for approval  
 26260 or disapproval, and report the same to the Secretary of the In-  
 26261 terior, with the proofs in each case, for his concurrence or rejec-  
 26262 tion; and the Secretary may issue to the claimants scrip for the  
 26263 claims thus allowed, which shall be receivable as cash in pay-  
 26264 ment for any of the lands sold in trust for said tribe: *Provided*,  
 26265 The aggregate amount thus allowed by the Secretary of the In-  
 26266 terior shall not exceed five thousand dollars.

26267 ARTICLE 6. In consideration of the long and faithful serv-  
 26268 ices rendered by Charles Mograin, one of the principal chiefs of  
 26269 the Great Osages, to the people, and in consideration of improve-  
 26270 ments made and owned by him on the land by this treaty sold  
 26271 to the United States, and in lieu of the provision made in article  
 26272 fourteen for the half-breed Indians, the heirs of the said Charles  
 26273 Mograin, dec[ease]d, may select one section of land, including his  
 26274 improvements, from the north half of said land, subject to the  
 26275 approval of the Secretary of the Interior, and upon his approval  
 26276 of such selection it shall be patented to the heirs of the said  
 26277 Mograin, dec[ease]d, in fee-simple.

26278 ARTICLE 7. It is agreed between the parties hereto that the  
 26279 sum of five hundred dollars shall be set apart each year from  
 26280 the moneys of said tribe, and paid by the agent to the chief.

26281 ARTICLE 8. The Osage Indians being anxious that a school

26282 should be established in their new home, at their request it is  
 26283 agreed and provided that John Schoenmaker may select one  
 26284 section of land within their diminished reservation, and upon  
 26285 the approval of such selection by the Secretary of the Interior,  
 26286 such section of land shall be set apart to the said Schoenmaker  
 26287 and his successors, upon condition that the same shall be used,  
 26288 improved, and occupied for the support and education of the  
 26289 children of said Indians during the occupancy of said reserva-  
 26290 tion by said tribe: *Provided*, That said lands shall not be  
 26291 patented, and upon the discontinuance of said school shall revert  
 26292 to said tribe and to the United States as other Indian lands.

26293       ARTICLE 9. It is further agreed that, in consideration of  
 26294 the services of Darius Rogers to the Osage Indians, a patent  
 26295 shall be issued to him for one hundred and sixty acres of land,  
 26296 to include his mill and improvements, on paying one dollar and  
 26297 twenty-five cents per acre; and said Rogers shall also have the  
 26298 privilege of purchasing, at the rate of one dollar and twenty-  
 26299 five cents per acre, one quarter section of land adjoining the  
 26300 tract above mentioned, which shall be patented to him in like  
 26301 manner; said lands to be selected subject to the approval of  
 26302 the Secretary of the Interior.

26303       ARTICLE 10. The Osages acknowledge their dependence on  
 26304 the Government of the United States, and invoke its protection  
 26305 and care; they desire peace, and promise to abstain from war,  
 26306 and commit no depredations on either citizens or Indians; and  
 26307 they further agree to use their best efforts to suppress the intro-  
 26308 duction and use of ardent spirits in their country.

26309       ARTICLE 11. It is agreed that all roads and highways laid  
 26310 out by the State or General Government shall have right of way  
 26311 through the remaining lands of said Indians, on the same terms  
 26312 as are provided by law, when made through lands of citizens of  
 26313 the United States; and railroad companies, when the lines of  
 26314 their roads necessarily pass through the lands of said Indians,  
 26315 shall have right of way upon the payment of fair compensation  
 26316 therefor.

26317       ARTICLE 12. Within six months after the ratification of this  
 26318 treaty the Osage Indians shall remove from the lands sold and  
 26319 ceded in trust, and settle upon their diminished reservation.

26320       ARTICLE 13. The Osage Indians having no annuities from  
 26321 which it is possible for them to pay any of the expenses of carry-  
 26322 ing this treaty into effect, it is agreed that the United States  
 26323 shall appropriate twenty thousand dollars, or so much thereof  
 26324 as may be necessary, for the purpose of defraying the expense  
 26325 of survey and sale of the lands hereby ceded in trust, which  
 26326 amount so expended shall be re-imbursed to the Treasury of the  
 26327 United States from the proceeds of the first sales of said lands.

26328       ARTICLE 14. The half-breeds of the Osage tribe of Indians,  
 26329 not to exceed twenty-five in number, who have improvements on  
 26330 the north half of the lands sold to the United States, shall have  
 26331 a patent issued to them, in fee-simple, for eighty acres each, to  
 26332 include, as far as practicable, their improvements, said half-  
 26333 breeds to be designated by the chiefs and head-men of the tribe ;  
 26334 and the heirs of Joseph Swiss, a half-breed, and a former inter-  
 26335 preter of said tribe, shall, in lieu of the above provision, receive  
 26336 a title, in fee-simple, to a half section of land, including his house  
 26337 and improvements, if practicable, and also to a half section of  
 26338 the trust land ; all of said lands to be selected by the parties,  
 26339 subject to the approval of the Secretary of the Interior.

26340       ARTICLE 15. It is also agreed by the United States that  
 26341 said Osage Indians may unite with any tribe of Indians at peace  
 26342 with the United States, residing in said Indian Territory, and  
 26343 thence afterwards receive an equitable proportion, according to  
 26344 their numbers, of all moneys, annuities, or property payable by  
 26345 the United States to said Indian tribe with which the agreement  
 26346 may be made ; and in turn granting to said Indians, in propor-  
 26347 tion to their numbers, an equitable proportion of all moneys,  
 26348 annuities, and property payable by the United States to said  
 26349 Osages.

26350       ARTICLE 16. It is also agreed by said contracting parties,  
 26351 that if said Indians should agree to remove from the State of  
 26352 Kansas, and settle on lands to be provided for them by the  
 26353 United States in the Indian Territory on such terms as may be  
 26354 agreed on between the United States and the Indian tribes now  
 26355 residing in said Territory or any of them, then the diminished  
 26356 reservation shall be disposed of by the United States in the  
 26357 same manner and for the same purposes as hereinbefore provided  
 26358 in relation to said trust lands, except that fifty per cent. of the  
 26359 proceeds of the sale of said diminished reserve may be used by  
 26360 the United States in the purchase of lands for a suitable home  
 26361 for said Indians in said Indian Territory.

26362       ARTICLE 17. Should the Senate reject or amend any of the  
 26363 above articles, such rejection or amendment shall not affect the  
 26364 other provisions of this treaty, but the same shall go into effect  
 26365 when ratified by the Senate and approved by the President.

26366       Proclaimed January 21, 1867.

26367 OTTAWAS RESIDING ON BLANCHARD'S FORK OF  
 26368 THE GREAT AUGLAIZE RIVER AND LITTLE AU-  
 26369 GLAIZE RIVER.

26370 *Articles of agreement and convention made and concluded this thir-*  
 26371 *tieth day of August, in the year of our Lord one thousand*  
 26372 *eight hundred and thirty-one, by and between James B. Gardi-*  
 26373 *ner, specially appointed commissioner on the part of the United*  
 26374 *States, on the one part, and the chiefs, head-men, and warriors*  
 26375 *of the band of Ottoway Indians residing within the State of*  
 26376 *Ohio, on the other part, for a cession of the several tracts of*  
 26377 *land now held and occupied by said Indians within said State,*  
 26378 *by reservations made under the treaty concluded at Detroit on*  
 26379 *the 17th day of November, 1807, and the treaty made at the*  
 26380 *foot of the rapids of the Miami River of Lake Erie, on the*  
 26381 *29th of September, 1817.*

26382       Whereas the President of the United States, under the au-  
 26383 thority of the act of Congress approved May 28, 1830, has ap-  
 26384 pointed a special commissioner to confer with the different In-  
 26385 dian tribes residing within the constitutional limits of the State  
 26386 of Ohio, and to offer for their acceptance the provisions of the  
 26387 before-mentioned act; and

26388       Whereas the band of Ottoways residing on Blanchard's  
 26389 Fork of the Great Auglaize River and on the Little Auglaize  
 26390 River, at Oquanoxie's village, have expressed their consent to  
 26391 the conditions of said act, and their willingness to remove west  
 26392 of the Mississippi in order to obtain a more permanent and  
 26393 advantageous home for themselves and their posterity:

26394       Therefore, in order to carry into effect the aforesaid objects,  
 26395 the following articles of convention have been agreed upon by  
 26396 the aforesaid contracting parties, which, when ratified by the  
 26397 President of the United States, by and with the consent of the  
 26398 Senate thereof, shall be mutually binding upon the United  
 26399 States and the aforesaid band of Ottoway Indians.

26400       ARTICLE 1. The band of Ottoway Indians residing on  
 26401 Blanchard's Fork of the Great Auglaize River and at Oqua-  
 26402 noxa's village on the Little Auglaize River, in consideration of  
 26403 the stipulations herein made on the part of the United States,  
 26404 do forever cede, release, and quit-claim to the United States the  
 26405 lands reserved to them by the last clause of the sixth article of  
 26406 the treaty made at the foot of the rapids of the Miami of the  
 26407 Lake on the 29th of September, 1817; which clause is in the fol-  
 26408 lowing words: "There shall be reserved for the use of the Ot-  
 26409 toway Indians, but not granted to them, a tract of land on  
 26410 Blanchard's Fork of the Great Auglaize River, to contain five

26411 miles square, the centre of which tract is to be where the old  
 26412 trace crosses the said fork; and one other tract, to contain  
 26413 three miles square, on the Little Auglaize River, to include  
 26414 Oquanoxa's village," making in said cession twenty-one thou-  
 26415 sand seven hundred and sixty acres.

26416 ARTICLE 2. The chiefs, head-men, and warriors of the band  
 26417 of Ottoway Indians residing at and near the places called  
 26418 *Roche de Bœuf* and Wolf Rapids, on the Miami River of Lake  
 26419 Erie, and within the State of Ohio, wishing to become parties  
 26420 to this convention, and not being willing, at this time, to stipu-  
 26421 late for their removal west of the Mississippi, do hereby agree,  
 26422 in consideration of the stipulations herein made for them on the  
 26423 part of the United States, to cede, release, and forever quit-  
 26424 claim to the United States the following tracts of land, reserved  
 26425 to them by the treaty made at Detroit on the 17th day of No-  
 26426 vember, 1807, to wit, the tract of six miles square above *Roche*  
 26427 *de Bœuf*, to include the village where Tondagonie (or Dog) for-  
 26428 merly lived; and also three miles square at the Wolf Rapids  
 26429 aforesaid, which was substituted for the three miles square  
 26430 granted by the said treaty of Detroit to the said Ottoways, "to  
 26431 include *Presque Isle*," but which could not be granted as stipu-  
 26432 lated in said treaty of Detroit in consequence of its collision  
 26433 with the grant of twelve miles square to the United States by  
 26434 the treaty of Greenville; making in the whole cession made by  
 26435 this article twenty-eight thousand one hundred and fifty-seven  
 26436 acres, which is exclusive of a grant made to Yellow Hair (or  
 26437 Peter Minor) by the eighth article of the treaty at the foot of  
 26438 the rapids of Miami, on the 29th of September, 1817, and for  
 26439 which said Minor holds a patent from the General Land Office  
 26440 for 643 acres.

26441 ARTICLE 3. In consideration of the cessions made in the  
 26442 first article of this convention, the United States agree to cause  
 26443 the band of Ottoways residing on Blanchard's Fork and at  
 26444 Oquanoxa's Village, as aforesaid, consisting of about two hun-  
 26445 dred souls, to be removed, in a convenient and suitable manner,  
 26446 to the western side of the Mississippi River; and will grant, by  
 26447 patent in fee-simple, to them and their heirs forever, as long as  
 26448 they shall exist as a nation, and remain upon the same, a tract of  
 26449 land to contain thirty-four thousand acres, to be located adjoining  
 26450 the south or west line of the reservation equal to fifty miles square  
 26451 granted to the Shawnees of Missouri and Ohio, on the Kansas  
 26452 River and its branches, by the treaty made at St. Louis, Novem-  
 26453 ber 7, 1825.

26454 ARTICLE 4. The United States will defray the expense of  
 26455 the removal of the said band of Ottoways, and will, moreover,  
 26456 supply them with a sufficiency of good and wholesome pro-

visions to support them for one year after their arrival at their new residence.

ARTICLE 5. In lieu of the improvements which have been made on the lands ceded by the first article of this convention, it is agreed that the United States shall advance to the Ottoways of Blanchard's Fork and Oquanoxa's Village, the sum of two thousand dollars, to be re-imbursed from the sales of the lands ceded by the said first article. And it is expressly understood that this sum is not to be paid until the said Ottoways arrive at their new residence; and that it is for the purpose of enabling them to erect houses and open farms for their accommodation and subsistence in their new country. A fair and equitable distribution of this sum shall be made by the chiefs of the said Ottoways, with the consent of their people, in general council assembled, to such individuals of their band as may have made improvements on the lands ceded by the first article of this convention, and may be properly entitled to the same.

ARTICLE 6. The farming-utensils, live stock, and other chattel-property which the said Ottoways of Blanchard's Fork and Oquanoxa's Village now own, shall be sold, under the superintendence of some suitable person appointed by the Secretary of War, and the proceeds paid to the owners of such property, respectively.

ARTICLE 7. The United States will expose to sale to the highest bidder, in the manner of selling the public lands, the tracts ceded by the first article of this convention, and after deducting from the proceeds of such sales the sum of seventy cents per acre, exclusive of the cost of surveying, and the sum of two thousand dollars advanced in lieu of improvements, it is agreed that the balance, or so much thereof as may be necessary, shall be hereby guaranteed for the payment of the debts which the said Ottoways of Blanchard's Fork and Oquanoxa's Village may owe in the State of Ohio and the Territory of Michigan, and agree to be due by them, as provided in the sixteenth article of this convention; and any surplus of the proceeds of said lands which may still remain shall be vested by the President in Government stock, and five per cent. thereon shall be paid to the said Ottoways of Blanchard's Fork and Oquanoxa's Village as an annuity during the pleasure of Congress.

ARTICLE 8. It is agreed that the said band of Ottoways, of Blanchard's Fork and Oquanoxa's Village, shall receive, at their new residence, a fair proportion of the annuities due to their nation by former treaties, which shall be apportioned under the direction of the Secretary of War according to their actual numbers.

26503       ARTICLE 9. The lands granted by this agreement and con-  
 26504       vention to the said band of Ottoways residing at Blanchard's  
 26505       Fork and Oquanoxa's Village shall not be sold nor ceded by them,  
 26506       except to the United States. And the United States guarantee  
 26507       that said lands shall never be within the bounds of any State or  
 26508       Territory, nor subject to the laws thereof; and further, that the  
 26509       President of the United States will cause said band to be pro-  
 26510       tected, at their new residence, against all interruption or dis-  
 26511       turbance from any other tribe or nation of Indians, and from any  
 26512       other person or persons whatever; and he shall have the same  
 26513       care and superintendence over them in the country to which  
 26514       they design to remove that he now has at their present resi-  
 26515       dence.

26516       ARTICLE 10. As an evidence of the good will and kind feel-  
 26517       ings of the people of the United States towards the said band  
 26518       of Ottoways of Blanchard's Fork and Oquanoxa's Village, it is  
 26519       agreed that the following articles be given them as presents, to  
 26520       wit: eighty blankets, twenty-five rifle guns, thirty-five axes,  
 26521       twelve ploughs, twenty sets of horse-gears, and Russian sheet-  
 26522       ing sufficient for tents for their whole band; the whole to be de-  
 26523       livered according to the discretion of the Secretary of War.

26524       ARTICLE 11. In consideration of the cessions made in the  
 26525       second article of this convention by the chiefs, head-men, and  
 26526       warriors of the band of Ottoways residing at *Roche de Boeuf*  
 26527       and Wolf Rapids, it is agreed that the United States will grant  
 26528       to said band, by patent in fee-simple, forty thousand acres of  
 26529       land, west of the Mississippi, adjoining the lands assigned to  
 26530       the Ottoways of Blanchard's Fork and Oquanoxa's Village, or in  
 26531       such other situation as they may select, on the unappropriated  
 26532       lands in the district of country designed for the emigrating  
 26533       Indians of the United States. And whenever the said band  
 26534       may think proper to accept of the above grant, and remove  
 26535       west of the Mississippi, the United States agree that they shall  
 26536       be removed and subsisted by the Government in the same man-  
 26537       ner as is provided in this convention for their brethren of Blanch-  
 26538       ard's Fork and Oquanoxa's Village, and they shall receive like  
 26539       presents, in proportion to their actual numbers, under the direc-  
 26540       tion of the Secretary of War. It is also understood and agreed  
 26541       that the said band, when they shall agree to remove west of the  
 26542       Mississippi, shall receive their proportion of the annuities due  
 26543       their nation by former treaties, and be entitled in every respect  
 26544       to the same privileges, advantages, and protection, which are  
 26545       herein extended to their brethren and the other emigrating In-  
 26546       dians of the State of Ohio.

26547       ARTICLE 12. The lands ceded by the second article of this  
 26548       convention shall be sold by the United States to the highest

26549 bidder, in the manner of selling the public lands, and after  
 26550 deducting from the avails thereof *seventy* cents per acre, ex-  
 26551 clusive of the cost of surveying, the balance is hereby guaran-  
 26552 teed to discharge such debts of the Ottoways residing on the  
 26553 river and bay of the Miami of Lake Erie, as they may herein  
 26554 acknowledge to be due and wish to be paid. And whatever  
 26555 overplus may remain of the avails of said lands, after discharg-  
 26556 ing their debts as aforesaid, shall be paid to them in money,  
 26557 provided they shall refuse to remove west of the Mississippi,  
 26558 and wish to seek some other home among their brethren in the  
 26559 Territory of Michigan. But should the said band agree to re-  
 26560 move west of the Mississippi, then any overplus which may re-  
 26561 main to them, after paying their debts, shall be invested by the  
 26562 President, and five per centum paid to them as an annuity, as  
 26563 is provided for their brethren by this convention.

26564 ARTICLE 13. At the request of the chiefs residing at *Roche*  
 26565 *de Boeuf* and Wolf Rapids, it is agreed that there shall be re-  
 26566 served for the use of Wau-be-ga-kake, (one of the chiefs,) for  
 26567 three years only from the signing of this convention, a section  
 26568 of land below and adjoining the section granted to and occupied  
 26569 by Yellow Hair or Peter Minor; and, also, there is reserved in  
 26570 like manner, and for the term of three years, and no longer, for  
 26571 the use of Muck-qui-on-a, or Bearskin, one section and a half,  
 26572 below Wolf Rapids, and to include his present residence and  
 26573 improvements. And it is also agreed that the said Bearskin  
 26574 shall have the occupancy of a certain small island in the Maumee  
 26575 River opposite his residence, where he now raises corn, which  
 26576 island belongs to the United States, and is now unsold; but the  
 26577 term of this occupancy is not guaranteed for three years; but  
 26578 only so long as the President shall think proper to reserve the  
 26579 same from sale. And it is further understood that any of the  
 26580 temporary reservations made by this article may be surveyed  
 26581 and sold by the United States, subject to the occupancy of three  
 26582 years, hereby granted to the aforesaid Indians.

26583 ARTICLE 14. At the request of the chiefs of *Roche de Boeuf*  
 26584 and Wolf Rapids, there is hereby granted to Hiram Thebault,  
 26585 (a half-blooded Ottoway,) a quarter-section of land, to contain one  
 26586 hundred and sixty acres, and to include his present improve-  
 26587 ments, at the Bear Rapids of the Miami of the Lake. Also, one  
 26588 quarter section of land, to contain like quantity, to William  
 26589 McNabb, (a half-blooded Ottoway,) to adjoin the quarter-section  
 26590 granted to Hiram Thebault. In surveying the above reserva-  
 26591 tions, no greater front is to be given on the river than would  
 26592 properly belong to said quarter-sections, in the common manner  
 26593 of surveying the public lands.

26594 ARTICLE 15. At the request of the chiefs of *Roche de Boeuf*

26595 and Wolf Rapids, there is granted to the children of Yellow  
 26596 Hair, (or Peter Minor,) one-half section of land, to contain three  
 26597 hundred and twenty acres, to adjoin the north line of the sec-  
 26598 tion of land now held by said Peter Minor, under patent from  
 26599 the President of the United States, bearing date the 24th of  
 26600 November, 1827, and the lines are not to approach nearer than  
 26601 one mile to the Miami River of the Lake.

26602       ARTICLE 16. It is agreed by the chiefs of Blanchard's Fork  
 26603 and Oquonoxa's Village, and the chiefs of *Roche de Boeuf* and  
 26604 Wolf Rapids, jointly, that they are to pay, out of the surplus  
 26605 proceeds of the several tracts herein ceded by them, equal pro-  
 26606 portions of the claims against them by John E. Hunt, John  
 26607 Hollister, Robert A. Forsythe, Payne C. Parker, Peter Minor,  
 26608 Theodore E. Phelps, Collister Haskins, and S. and P. Carlan.  
 26609 The chiefs aforesaid acknowledge the claim of John E. Hunt  
 26610 to the amount of five thousand six hundred dollars; the claim of  
 26611 John Hollister to the amount of five thousand dollars; the claim  
 26612 of Robert A. Forsythe to the amount of seven thousand five  
 26613 hundred and twenty-four dollars, in which is included the claims  
 26614 assigned to said Forsythe by Isaac Hull, Samuel Vance, A. Pel-  
 26615 tier, Oscar White, and Antoine Lepoint. They also allow the  
 26616 claim of Payne C. Parker to the amount of five hundred dollars;  
 26617 the claim of Peter Minor to the amount of one thousand dollars;  
 26618 the claim of Theodore E. Phelps to the amount of three hundred  
 26619 dollars; the claim of Collister Haskins to the amount of fifty  
 26620 dollars, but the said Haskins claims fifty dollars more as his  
 26621 proper demand; and the claim of S. and P. Carlan to the amount  
 26622 of three hundred and ninety-eight dollars and twenty-five cents.  
 26623 The aforesaid chiefs also allow the claim of Joseph Laronger to  
 26624 the amount of two hundred dollars, and the claim of Daniel  
 26625 Lakin to the amount of seventy dollars. Notwithstanding the  
 26626 above acknowledgement and allowances, it is expressly under-  
 26627 stood and agreed by the respective parties to this compact, that  
 26628 the several claims in this article, and the items which compose  
 26629 the same, shall be submitted to the strictest scrutiny and exam-  
 26630 ination of the Secretary of War and the accounting officers of  
 26631 the Treasury Department, and such amount only shall be allowed  
 26632 as may be found just and true.

26633       ARTICLE 17. On the ratification of this convention, the  
 26634 privileges of every description granted to the Ottoway Nation,  
 26635 within the State of Ohio, by the treaties under which they hold  
 26636 the reservations of land herein ceded, shall forever cease and  
 26637 determine.

26638       ARTICLE 18. Whenever the deficiency of five hundred and  
 26639 eighty dollars, which accrued in the annuities of the Ottoways  
 26640 for 1830, shall be paid, the parties to this convention, residing

26641 on Blanchard's Fork and Oquanoxa's Village, shall receive their  
 26642 fair and equitable portion of the same, either at their present or  
 26643 intended residence.

26644 ARTICLE 19. The chiefs signing this convention also agree,  
 26645 in addition to the claims allowed in the sixteenth article thereof,  
 26646 that they owe John Anderson two hundred dollars, and Francis  
 26647 Lavozy two hundred dollars.

26648 ARTICLE 20. It is agreed that there shall be allowed to Nau-  
 26649 on-quai-que-zhick one hundred dollars, out of the surplus fund  
 26650 accruing from the sales of the lands herein ceded, in consequence  
 26651 of his not owing any debts, and having his land sold to pay the  
 26652 debts of his brethren.

26653 Proclaimed April 6, 1832.

26654 OTTAWAS, BAND RESIDING ON THE INDIAN RE-  
 26655 SERVES, ON THE MIAMI OF LAKE ERIE.

26656 *Articles of a treaty made at Maumee in the State of Ohio, on the*  
 26657 *eighteenth day of February, in the year of our Lord one thou-*  
 26658 *sand eight hundred and thirty-three, between George B. Porter,*  
 26659 *commissioner on the part of the United States, of the one part,*  
 26660 *and the undersigned chiefs and head-men of the band of Ot-*  
 26661 *tawa Indians residing on the Indian Reserves, on the Miami*  
 26662 *of Lake Erie, and in the vicinity thereof, representing the whole*  
 26663 *of said band, of the other part.*

26664 Whereas, by the twentieth article of the treaty concluded  
 26665 at the foot of the rapids of the Miami of Lake Erie, on the  
 26666 twenty-ninth day of September, A. D. 1817, (proclaimed  
 26667 January 4, 1819, see page 205,) it is provided as follows:  
 26668 "The United States also agree to grant, by patent, to the chiefs  
 26669 of the Ottawa tribe of Indians for the use of the said tribe, a  
 26670 tract of land, to contain thirty-four square miles, to be laid out  
 26671 as nearly in a square form as practicable, not interfering with the  
 26672 lines of the tracts reserved by the treaty of Greenville, on the  
 26673 south side of the Miami River of Lake Erie, and to include Tush-  
 26674 que-gan, or McCarty's village; which tracts, thus granted, shall  
 26675 be held by the said tribe, upon the usual conditions of Indian  
 26676 reservations, as though no patent were issued;" and

26677 Whereas by the sixth article of the treaty concluded at  
 26678 Detroit, on the seventeenth day of November, A. D. 1807,  
 26679 (proclaimed January 27, 1808, see page 194,) it is provided, for  
 26680 the accommodation of the Indians named in the treaty, that certain  
 26681 tracts of land, within the cession then made, should be reserved  
 26682 to the said Indian nations, among which is a reservation de-

26683 scribed as follows: "Four miles square on the Miami Bay, in  
 26684 cluding the villages where Meskeman and Waugan now live,"  
 26685 which reservation was expressly made for the Ottawa tribe. By  
 26686 virtue of which stipulations and reservations the said band of  
 26687 Ottawas are now in the occupancy and enjoyment of the two  
 26688 tracts of land therein described, and for the consideration here-  
 26689 inafter stated have agreed to cede the same to the United States ;  
 26690 and bind themselves to each and all of the articles and conditions  
 26691 which follow :

26692       ARTICLE 1. The said Ottawa band cede to the United  
 26693 States all their land on each or either side of the Miami River  
 26694 of Lake Erie, or on the Miami Bay, being all the lands mentioned  
 26695 or intended to be included in the two reservations aforesaid, or  
 26696 to which they have any claim. No claims to be made for im-  
 26697 provements.

26698       ARTICLE 2. It is agreed that out of the lands hereby ceded,  
 26699 the following reservations shall be made, and that patents for  
 26700 each tract shall be granted by the United States to the indi-  
 26701 viduals respectively and their heirs for the quantity hereby as-  
 26702 signed to each, that is to say: A tract of fifteen hundred and  
 26703 twenty acres shall be laid off at the mouth of the river, on the  
 26704 south side thereof, and to be so surveyed as to accommodate the  
 26705 following persons, for whose use respectively each tract herein-  
 26706 after described is reserved, viz: three hundred and twenty acres  
 26707 for Au-to-kee, a chief, at the mouth of the river, to include  
 26708 Presque Isle; eight hundred acres for Jacques, Robert, Peter,  
 26709 Antoine, Francis, and Alexis Navarre, to include their present  
 26710 improvements; one hundred and sixty acres for Wa-say-on, the  
 26711 son of Tush-quaguan, to include his father's old cabin; the re-  
 26712 maining two hundred and forty acres to be set off in the rear of  
 26713 these two sections: eighty acres thereof for Pe-tan, and if prac-  
 26714 ticable to include her cabin and field; eighty acres more thereof  
 26715 for Che-no, a chief, above, or higher up the little creek, and the  
 26716 other eighty acres thereof for Joseph Le Cavalier Ranjard, in  
 26717 trust for himself and the legal representatives of Albert Ranjard,  
 26718 deceased. Also, the following tracts on the north side of said  
 26719 river: one hundred and sixty acres for Wau-sa-on-o-quet, a chief,  
 26720 to include the improvement where he now lives on Pike Creek,  
 26721 and to front on the bay; eighty acres for Leon Guoin and his  
 26722 children, adjoining the last and on the south side thereof; one  
 26723 hundred and sixty acres for Aush-cush and Ke-tuck-kee, chiefs,  
 26724 to be laid off on the north side of Ottawa Creek, fronting on the  
 26725 same, and above the place where the said Aush-cush now lives;  
 26726 one hundred and sixty acres for Robert A. Forsyth, of Maumee,  
 26727 to be laid off on each side of the turnpike road where Halfway  
 26728 Creek crosses the same; and one hundred and sixty acres, front-

26729 ing on the Maumee River, to include the place where Ke-ne-wau-  
 26730 ba formerly resided; one hundred and sixty acres for John E.  
 26731 Hunt, fronting on the said river, immediately above and adjoining  
 26732 ing the last; and also one hundred and sixty acres, to adjoin the  
 26733 former tract, on the turnpike road. The said tracts to be surveyed  
 26734 and set off under the direction of the President of the  
 26735 United States.

26736 The said Au-to-kee, Wa-say-on, Pe-tau-che-no, Wau-sa-on-  
 26737 o-quet, Aush-cush, and Ke-tuck-kee, being Indians, the lands  
 26738 hereby reserved for them are not to be alienated without the  
 26739 approbation of the President of the United States.

26740 The said Leon Guoin has resided for a long time among  
 26741 these Indians; has subsisted them when they would otherwise  
 26742 have suffered, and they are greatly attached to him. They  
 26743 request that the grant be to him and his present wife, during  
 26744 their joint lives, and the life of the survivor, and to their children  
 26745 in fee.

26746 The said Jacques, Robert, Peter, Antoine, Francis, and  
 26747 Alexis Navarre have long resided among these Indians, inter-  
 26748 married with them, and been valuable friends.

26749 The said Albert Ranjard, deceased, had purchased land of  
 26750 them previous to the late war, upon which, before he died, he  
 26751 had paid them three hundred dollars, for which his family have  
 26752 never received any equivalent.

26753 The reservations to the said Robert A. Forsyth and John  
 26754 E. Hunt being at the especial request of the said band, in con-  
 26755 sideration of their long residence among them and the many  
 26756 acts of kindness they have extended to them.

26757 ARTICLE 3. In consideration of which it is agreed that the  
 26758 United States shall pay to the said band of Indians the sum of  
 26759 twenty-nine thousand four hundred and forty dollars, to be, by  
 26760 direction of the said band, applied in extinguishment of their  
 26761 debts, in manner following, that is to say, to John Hollister and  
 26762 Company, seven thousand three hundred and sixty-five dollars,  
 26763 which includes other claims, directed by the said Indians to be  
 26764 by him paid, amounting to thirteen hundred and ninety-five dol-  
 26765 lars, as per Schedule A herewith: To John E. Hunt, nine thou-  
 26766 sand nine hundred and twenty-nine dollars, which includes  
 26767 other claims directed by the said Indians to be by him paid,  
 26768 amounting to two thousand six hundred and seventy-five dol-  
 26769 lars and sixty-three cents, as per Schedule B herewith: To Rob-  
 26770 ert A. Forsyth, of Maumee, ten thousand eight hundred and  
 26771 ninety dollars, which includes other claims directed by the said  
 26772 Indians to be by him paid, amounting to four thousand four  
 26773 hundred and ten dollars, as per Schedule C herewith: To Louis  
 26774 Beaufit, seven hundred dollars; to Pierre Menard, four hundred

26775 dollars; to John King, one hundred dollars; to Louis King,  
26776 fifty-six dollars.(a)

26777 Within six months after payment by the United States of  
26778 the said consideration money the said Indians agree to remove  
26779 from all the lands herein ceded. And it is expressly understood  
26780 that in the mean time no interruption shall be offered to the sur-  
26781 vey of the same by the United States.

26782 And whereas the said band have represented to the said  
26783 commissioner that under the treaty, as interpreted to them, en-  
26784 tered into with John B. Gardiner, commissioner on the part of  
26785 the United States, on the 30th day of August, 1831, (pro-  
26786 claimed April 6, 1832; see preceding treaty,) for the cession  
26787 of a part of their lands, there is due to them, jointly with that  
26788 portion of the tribe that has emigrated, eighteen thousand  
26789 dollars, and for which they have made claim; whenever this  
26790 deficiency shall be paid it is agreed that out of said fund there  
26791 shall be paid to Joseph Leronger, in full satisfaction of all his  
26792 claim, four hundred dollars; and to Pierre Menard, in like sat-  
26793 isfaction, sixteen hundred dollars; to Gabriel Godfroy, junior,  
26794 in like satisfaction, two hundred dollars; to Waubee's daughter,  
26795 Nau-quesh-kum-o-qua, fifty dollars; to Charles Leway, or Nau-  
26796 way-nes, fifty dollars; to Dr. Horatio Conant, two hundred dol-  
26797 lars, in full satisfaction of all his claim; to Joseph F. Marsac,  
26798 fifty dollars.

26799 This treaty, after the same shall have been ratified by the  
26800 President and Senate of the United States, shall be binding on  
26801 the contracting parties.

26802 Proclaimed March 22, 1833.

26803 OTTAWAS, BLANCHARD'S FORK, AND ROCHE DE  
26804 BŒUF, UNITED BANDS.

26805 *Treaty between the United States of America and the Ottawa In-*  
26806 *dians of Blanchard's Fork and Roche De Bœuf, concluded*  
26807 *June 24, 1862; ratification advised, with amendment, July 16,*  
26808 *1862; amendment accepted, July 19, 1862.*

26809 ABRAHAM LINCOLN, President of the United States of America,  
26810 to all and singular to whom these presents shall come,  
26811 greeting:

26812 Whereas a treaty was made and concluded at the city of  
26813 Washington, in the District of Columbia, on the twenty-fourth  
26814 day of June, in the year of our Lord eighteen hundred and sixty-  
26815 two, by and between William P. Dole, commissioner on the part

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(a) These schedules are not on file at Washington.

26816 of the United States, and the hereinafter-named chief and coun-  
 26817 cilmen of the Ottawa Indians of the united bands of Blanch-  
 26818 ard's Fork and Roche de Bœuf, now in Franklin County, in the  
 26819 State of Kansas, being duly authorized by said bands, which  
 26820 treaty is in the words and figures following:

26821 Articles of agreement and convention, made and concluded at  
 26822 Washington City, on the twenty-fourth day of June, eighteen  
 26823 hundred and sixty-two, by and between William P. Dole,  
 26824 commissioner on the part of the United States, and the fol-  
 26825 lowing-named chief and councilmen of the Ottawa Indians  
 26826 of the united bands of Blanchard's Fork and of Roche de  
 26827 Bœuf, now in Franklin County, Kansas, viz: Pem-ach-wung,  
 26828 chief; John T. Jones, William Hurr, and James Wind, coun-  
 26829 cilmen, they being thereto duly authorized by said tribe.

26830 ARTICLE 1. The Ottawa Indians of the united bands of Blan-  
 26831 chard's Fork and of Roche de Bœuf, having become sufficiently  
 26832 advanced in civilization, and being desirous of becoming citizens  
 26833 of the United States, it is hereby agreed and stipulated that  
 26834 their organization and their relations with the United States  
 26835 as an Indian tribe shall be dissolved and terminated at the ex-  
 26836 piration of five years from the ratification of this treaty; and  
 26837 from and after that time the said Ottawas, and each and every  
 26838 one of them, shall be deemed and declared to be citizens of the  
 26839 United States, to all intents and purposes, and shall be entitled  
 26840 to all the rights, privileges, and immunities of such citizens,  
 26841 and shall, in all respects, be subject to the laws of the United  
 26842 States and of the State or States thereof in which they may  
 26843 reside.

26844 ARTICLE 2. It is hereby made the duty of the Secretary of  
 26845 the Interior to cause a survey of the reservation of the said Ot-  
 26846 tawas to be made as soon as practicable after the ratification of  
 26847 this treaty, dividing it into eighty-acre tracts, with marked  
 26848 stones set at each corner; and said Ottawas, having already  
 26849 caused their reservation to be surveyed, and quarter-section  
 26850 stones set, it is hereby stipulated that such survey shall be  
 26851 adopted, in so far as it shall be found correct.

26852 ARTICLE 3. It being the wish of said tribe of Ottawas to  
 26853 remunerate several of the chiefs, councilmen, and head-men  
 26854 of the tribe for their services to them many years without pay,  
 26855 it is hereby stipulated that five sections of land is [are] reserved  
 26856 and set apart for that purpose, to be apportioned among the  
 26857 said chiefs, councilmen, and head-men as the members of the  
 26858 tribes shall in full council determine; and it shall be the duty  
 26859 of the Secretary of the Interior to issue patents, in fee-simple,  
 26860 of said lands, when located and apportioned to said Indians.  
 26861 In addition thereto, said last-named persons, and each and every

26862 head of a family in said tribe, shall receive 160 acres of land,  
 26863 which shall include his or her house and all improvements, so  
 25864 far as practicable; and all other members of the tribe shall re-  
 26865 ceive 80 acres of land each, and all the locations for the heads  
 26866 of families, made in accordance with this treaty, shall be made  
 26867 adjoining, and in as regular and compact form as possible, and  
 26868 with due regard to the rights of each individual and of the  
 26869 whole tribe.

26870 ARTICLE 4. To enable said tribe to establish themselves  
 26871 more fully in agriculture, and gradually to increase their prepa-  
 26872 rations for assuming the responsibilities and duties of citizen-  
 26873 ship, it is stipulated that, subject to the limitations hereinafter  
 26874 mentioned, the sum of eighteen thousand (\$18,000) dollars shall be  
 26875 paid to said tribe, in the manner of annuities, out of their moneys  
 26876 now in the hands of the United States, in September, 1862, and  
 26877 subject to the limitations of this treaty. There shall be paid to  
 26878 them in four equal annual payments thereafter, as near as may  
 26879 be, all the moneys which the United States hold, or may hold,  
 26880 in any wise for them, with accruing interest on all moneys re-  
 26881 maining with the United States.

26882 ARTICLE 5. It being the desire of the tribe to pay all lawful  
 26883 and just debts against them contracted since they were removed  
 26884 to Kansas, it is agreed that such demands as the council of the  
 26885 tribe and the agent shall approve, when confirmed by the Secre-  
 26886 tary of the Interior, may be received in payment for the lands  
 26887 hereinafter provided to be sold, or otherwise such debts shall be  
 26888 paid out of the funds of said Ottawas; but in no case shall more  
 26889 than \$15,000 be allowed and paid for such debts.

26890 ARTICLE 6. The Ottawas deeming this a favorable opportu-  
 26891 nity to provide for the education of their posterity, and feeling  
 26892 that they are able to do so by the co-operation of the United  
 26893 States, now, in pursuance of this desire of the Ottawas, after the  
 26894 selections and allotments herein provided have been made, there  
 26895 shall be set apart, under the direction of the Secretary of the  
 26896 Interior, twenty thousand acres of average lands for the purpose  
 26897 of endowing a school for the benefit of said Ottawas; also, one  
 26898 section of land, upon which said school shall be located, which  
 26899 section of land shall be inalienable, and upon which, and all the  
 26900 appurtenances and property for school purposes thereon, no tax  
 26901 shall ever be laid by any authority whatever.

26902 Five thousand acres of said land may be sold by the trustees  
 26903 hereinafter named, the proceeds of which may be devoted to the  
 26904 erection of proper buildings and improvements upon said section  
 26905 for reception of the pupils; and the residue of the school-lands  
 26906 may in like manner be sold, from time to time, as full prices  
 26907 can be obtained for the same. The money received therefor

26908 shall be loaned upon good real estate security, to be improved  
 26909 farms in the county of the reservation, the same not to be  
 26910 a security for more than half the appraised value of the land  
 26911 as returned by the county assessor, and no land to be taken  
 26912 as security for such loan or loans which shall be encumbered  
 26913 in any manner, or the title to which shall have been derived  
 26914 from or held by any judicial, administrator, or executor's sale,  
 26915 or by the sale of any person acting in a fiduciary capacity.  
 26916 The security shall never be avoided on account of any rate of  
 26917 interest reserved, and the interest only shall be applied to the  
 26918 support of the school, so that the principal sum shall never be  
 26919 diminished.

26920 And to the end that the Ottawas may derive the greatest  
 26921 advantage from said school, the pupils shall be instructed and  
 26922 practiced in industrial pursuits suitable to their age and sex, as  
 26923 well as in such branches of learning as the means of the institu-  
 26924 tion and the capacity of the pupils will permit.

26925 The lands hereby set apart shall not be subject to taxation  
 26926 until they are sold. They may be sold upon such credit as the  
 26927 trustees may think most for the interest of the enterprise. Se-  
 26928 curity for the payment shall be taken with interest, the interest  
 26929 to be paid annually, but no title shall be made until the purchase  
 26930 money is all paid.

26931 John T. Jones, James Wind, William Hurr, Joseph King,  
 26932 who are Ottawas, and John G. Pratt, and two other citizens of  
 26933 Kansas, who shall be elected by the said Ottawa Indians, are,  
 26934 by the parties agreed, to be trustees to manage the funds and  
 26935 property by this article set apart. They and their successors  
 26936 shall have the control and management of the school, and the  
 26937 funds arising from the sales of lands set apart therefor, and also  
 26938 the reserved section whereon the school is situated. Upon the  
 26939 death, resignation, or refusal to act by either of them, the va-  
 26940 cancy shall be filled by the survivors, provided that the board of  
 26941 trustees shall always have three white citizens members of said  
 26942 board.

26943 A majority of the trustees shall form a quorum to transact  
 26944 business, but there shall be two of the white trustees present at  
 26945 the transaction of business. All acts of the trustees shall be re-  
 26946 corded in a book or books to be by them kept for that purpose,  
 26947 and the proceedings of each meeting shall be signed by the pres-  
 26948 ident, to be by them elected out of their number. They shall  
 26949 also elect a treasurer and secretary from their number. All  
 26950 contracts of the trustees shall be in the name of their treasurer,  
 26951 who shall be competent to sue and be sued in all matters affect-  
 26952 ing the trust; he shall give bond conditioned for the faithful  
 26953 discharge of his duty, and the proper accounting for all money

26954 or property of the trust coming to his hands, with at least two  
 26955 good freehold sureties, in the penalty of ten thousand dollars, to  
 26956 be approved by a judge of a court of record in Kansas.

26957 And the secretary and treasurer may be allowed, from time  
 26958 to time, such sum, from the proceeds of the trust, as the trustees  
 26959 in their judgment shall think just. Upon a sale of any of the  
 26960 lands by the trustees, upon their request, the same shall be con-  
 26961 veyed by the United States, by patent, to the purchaser.

26962 And it is hereby expressly provided and agreed that the  
 26963 children of the Ottawas and their descendants, no matter where  
 26964 they may emigrate, shall have the right to enter said school and  
 26965 enjoy all the privileges thereof, the same as though they had  
 26966 remained upon the lands by this treaty allotted.

26967 ARTICLE 7. There shall be set apart ten acres of land for  
 26968 the benefit of the Ottawa Baptist church, and said land shall  
 26969 include the church buildings, mission-house, and graveyard, and  
 26970 the title to said property shall be vested in a board of five trustees,  
 26971 to be appointed by said church, in accordance with the laws of  
 26972 the State of Kansas.

26973 And in respect for the memory of Rev. J. Meeker, deceased,  
 26974 who labored with unselfish zeal for nearly twenty years among  
 26975 said Ottawas, greatly to their spiritual and temporal welfare, it  
 26976 is stipulated that 80 acres of good land shall be, and hereby is,  
 26977 given, in fee-simple, to each of the two children of said Meeker,  
 26978 viz, Emmeline and Eliza; their lands to be selected and located  
 26979 as the other allotments herein provided are to be selected and  
 26980 located, which lands shall be inalienable the same as the lands  
 26981 allotted to the Ottawas.

26982 And all the above-mentioned selections of lands shall be made  
 26983 by the agent of the tribe, under the direction of the Secretary of  
 26984 the Interior. And plats and records of all the selections and loca-  
 26985 tions shall be made, and, upon their completion and approval,  
 26986 proper patents by the United States shall be issued to each in-  
 26987 dividual member of the tribe and person entitled for the lands  
 26988 selected and allotted to them, in which it shall be stipulated that  
 26989 no Indian, except as herein provided, to whom the same may be  
 26990 issued, shall alienate or encumber the land allotted to him or her  
 26991 in any manner, until they shall, by the terms of this treaty, be-  
 26992 come a citizen of the United States; and any conveyance or en-  
 26993 cumbrance of said lands, done or suffered, except as aforesaid,  
 26994 by any Ottawa Indian, of the lands allotted to him or her, made  
 26995 before they shall become a citizen, shall be null and void.

26996 And forty acres, including the houses and improvements of  
 26997 the allottee, shall be inalienable during the natural lifetime of  
 26998 the party receiving the title: *Provided*, That such of said In-  
 26999 dians as are not under legal disabilities by the local laws may

27000 sell to each other such portions of their lands as are subject to  
 27001 sale, with the consent of the Secretary of the Interior, at any  
 27002 time.

27003 ARTICLE 8. That upon the ratification of this treaty a census  
 27004 of all the Ottawas entitled to land or money under the treaty  
 27005 shall be taken under the direction of the Secretary of the  
 27006 Interior.

27007 The principal to be paid to the minors shall be paid to their  
 27008 parents, unless the council of the tribe shall object because of  
 27009 the incompetency of the parent, growing out of ignorance, profligacy, or any other good cause; the council may also object to the payment of the money to any such incompetent which may be coming to himself or herself; and in all such cases the principal sum shall be withheld, and only the annuity paid, until such minor comes of age, or the disability is removed by the action of the council: *Provided further*, That the money of minors may, in all cases, be paid to guardians appointed by the local laws.

27017 ARTICLE 9. It being the desire of the said Ottawas, in making this treaty, to insure, as far as possible, the settlement of their reservation by industrious whites, whose example shall be of benefit to the tribe at large, it is stipulated that after all the above-mentioned locations, assignments, and sales are made, the remainder of the land shall be sold to actual settlers at not less than \$1.25 per acre, in the following manner: Any white person desiring to obtain any unsold, unlocated tract of the land, may file his proposition, in writing, with the agent of the Ottawa, for the purchase of the tract, stating the price which he proposes to pay for said tract, not less than \$1.25 per acre, a copy of which proposition, as well as all others herein contemplated, shall be posted for thirty days, dating from the first posting at the agency, in some conspicuous place; and if no person will propose a better price therefor within thirty days next after the first posting, in which further proposition the first person may join, he, or such other person as shall have offered the best price, shall, upon the payment of one-quarter of the price offered, be taken and deemed the purchaser of said tract, and shall be entitled to a patent therefor from the United States at the end of one year, if he shall pay the remainder of the price offered, have occupied the land, and placed lasting and valuable improvements upon said tract to the extent and value of two hundred dollars to each quarter section entered: *Provided*, That if said Ottawas, by their council, shall, at any time before any person shall become the purchaser of any tract of land, file their protest in writing against such purchaser, he shall not be permitted to enter upon said lands or become the purchaser thereof, and white persons not purchasers shall not be permitted to set-

27046 tle upon said lands, it being the duty of the agent to prevent  
 27047 such settlement, or their occupancy by the whites who are not  
 27048 purchasers, and only to the extent of their purchase: *And pro-*  
 27049 *vided, further,* That if any purchaser shall fail to pay for the  
 27050 land by him purchased under this treaty at the time stipulated,  
 27051 it shall be the duty of the agent to dispossess him as an intruder  
 27052 upon the lands, and his advances, payments, and all his improve-  
 27053 ments shall enure to the benefit of the Ottawas, and the land  
 27054 shall be sold for their benefit, as herein provided. But no per-  
 27055 son under this article shall be entitled to enter more than 320  
 27056 acres.

27057 And all the lands which are not thus entered with the  
 27058 agent within two years from the ratification of this treaty may,  
 27059 upon the request of the council, be offered for sale at not less  
 27060 than \$1.25 per acre, upon a credit of one year, under the direction  
 27061 of the Secretary of the Interior; and if any lands thereafter re-  
 27062 main unsold, they may be sold upon such terms as the council of  
 27063 said tribe and the Secretary of the Interior shall mutually agree  
 27064 upon. And all the moneys derived from the sales of the above-  
 27065 described lands shall be paid at the time and place where the  
 27066 Secretary of the Interior may direct.

27067 ARTICLE 10. And it is stipulated that the United States  
 27068 shall pay to the said Ottawas the claims for stolen ponies, cattle,  
 27069 and timber, already reported and approved by the Secretary of  
 27070 the Interior, amounting to \$13,005  $\frac{95}{100}$ . And also other claims  
 27071 for damages within two years, or since the taking of testimony  
 27072 for the above-mentioned damages, upon the presentation of suffi-  
 27073 cient proof: *Provided,* Such last-mentioned claims shall not ex-  
 27074 ceed \$3,500.

27075 ARTICLE 11. It is hereby made the duty of the Indian De-  
 27076 partment to appoint an interpreter for said tribe, in the custom-  
 27077 ary manner, to be continued during the pleasure of the Secretary  
 27078 of the Interior. And it is expressly understood that all expenses  
 27079 incurred by the stipulations of this treaty shall be paid out of  
 27080 the funds of the aforementioned tribe of Ottawas, and their an-  
 27081 nuities shall be paid semi-annually.

27082 Proclaimed July 28, 1862.

## 27083 OTTAWAS AND CHIPPEWAS.

27084 *Articles of a treaty made and concluded at L'Arbre Croche and*  
 27085 *Michilimackinac, in the Territory of Michigan, between the*  
 27086 *United States of America, by their commissioner, Lewis Cass,*  
 27087 *and the Ottawa and Chippewa Nations of Indians.*

27088 ARTICLE 1. The Ottawa and Chippewa Nations of Indians  
 27089 cede to the United States the Saint Martin Islands in Lake

27090 Huron, containing plaster of Paris, and to be located under the  
27091 direction of the United States.

27092 ARTICLE 2. The Ottawa and Chippewa Nations of Indians  
27093 acknowledge to have this day received a quantity of goods in  
27094 full satisfaction of the above cession.

27095 ARTICLE 3. This treaty shall be obligatory on the contract-  
27096 ing parties after the same shall be ratified by the President of  
27097 the United States, by and with the advice and consent of the  
27098 Senate thereof.

27099 Proclaimed March 8, 1821.

27100 *Articles of a treaty made and concluded at the city of Washing-*  
27101 *ton, in the District of Columbia, between Henry R. Schoolcraft,*  
27102 *commissioner on the part of the United States, and the Ottawa*  
27103 *and Chippewa Nations of Indians, by their chiefs and dele-*  
27104 *gates.*

27105 ARTICLE 1. The Ottawa and Chippewa Nations of Indians  
27106 cede to the United States all the tract of country within the  
27107 following boundaries: Beginning at the mouth of Grand River  
27108 of Lake Michigan, on the north bank thereof and following up  
27109 the same to the line called for in the first article of the treaty  
27110 of Chicago of the 29th of August, 1821; thence in a direct line  
27111 to the head of Thunder-bay River; thence with the line estab-  
27112 lished by the treaty of Saganaw of the 24th of September, 1819,  
27113 to the mouth of said river; thence northeast to the boundary-  
27114 line in Lake Huron between the United States and the British  
27115 province of Upper Canada; thence northwestwardly, following  
27116 the said line, as established by the commissioners acting under  
27117 the treaty of Ghent, through the straits, and River St. Mary's,  
27118 to a point in Lake Superior north of the mouth of *Gitchy Seebing*,  
27119 or Chocolate River; thence south to the mouth of said river and  
27120 up its channel to the source thereof; thence in a direct line to  
27121 the head of the *Skonaubwa* River of Green Bay, thence down the  
27122 south bank of said river to its mouth; thence, in a direct line,  
27123 through the ship-channel into Green Bay to the outer part  
27124 thereof; thence south to a point in Lake Michigan west of the  
27125 north cape, or entrance of Grand River, and thence east to the  
27126 place of beginning, at the cape aforesaid, comprehending all  
27127 the lands and islands, within these limits, not hereinafter re-  
27128 served.

27129 ARTICLE 2. From the cession aforesaid the tribes reserve  
27130 for their own use, to be held in common, the following tracts,  
27131 namely: One tract of fifty thousand acres to be located on  
27132 Little Traverse Bay; one tract of twenty thousand acres to be

27133 located on the north shore of Grand Traverse Bay ; one tract of  
 27134 seventy thousand acres to be located on or north of the *Picire*  
 27135 *Marquette* River ; one tract of one thousand acres to be located  
 27136 by Chingassanoo, or the Big Sail, on the Cheboigan ; one tract  
 27137 of one thousand acres to be located by Mujeekewis, on Thunder-  
 27138 bay River.

27139 ARTICLE 3. There shall also be reserved for the use of the  
 27140 Chippewas living north of the straits of Michilimackinac, the  
 27141 following tracts, that is to say : Two tracts of three miles square  
 27142 each, on the north shores of the said straits, between *Point-au-*  
 27143 *Barbe* and *Mille Coquin* River, including the fishing-grounds in  
 27144 front of such reservations, to be located by a council of the  
 27145 chiefs. The Beaver Islands of Lake Michigan for the use of the  
 27146 Beaver-Island Indians. Round Island, opposite Michilimackinac,  
 27147 as a place of encampment for the Indians, to be under the charge  
 27148 of the Indian Department. The islands of the *Chenos*, with a  
 27149 part of the adjacent north coast of Lake Huron, corresponding in  
 27150 length, and one mile in depth. Sugar Island, with its islets in  
 27151 the river of St. Mary's. Six hundred and forty acres at the  
 27152 mission of the Little Rapids. A tract commencing at the mouth  
 27153 of the *Pississouining* River, south of Point Iroquois ; thence  
 27154 running up said stream to its forks ; thence westward, in a direct  
 27155 line to the Red Water Lakes ; thence across the portage to the  
 27156 Tacquimenon River, and down the same to its mouth, including  
 27157 the small islands and fishing-grounds in front of this reservation.  
 27158 Six hundred and forty acres on Grand Island, and two thousand  
 27159 acres on the main land south of it. Two sections on the northern  
 27160 extremity of Green Bay, to be located by a council of the chiefs.  
 27161 All the locations left indefinite by this and the preceding articles  
 27162 shall be made by the proper chiefs, under the direction of the Pres-  
 27163 ident. It is understood that the reservation for a place of fish-  
 27164 ing and encampment, made under the treaty of St. Mary's of  
 27165 the 16th of June, 1820, remains unaffected by this treaty.

27166 ARTICLE 4. In consideration of the foregoing cessions the  
 27167 United States engage to pay to the Ottawa and Chippewa Na-  
 27168 tions the following sums, namely : 1st. An annuity of thirty  
 27169 thousand dollars per annum, in specie, for twenty years ; eight-  
 27170 een thousand dollars, to be paid to the Indians between Grand  
 27171 River and the Cheboigan ; three thousand six hundred dollars  
 27172 to the Indians on the Huron shore, between the Cheboigan and  
 27173 Thunder-bay River ; and seven thousand four hundred dollars to  
 27174 the Chippewas north of the straits, as far as the cession extends ;  
 27175 the remaining one thousand dollars to be invested in stock by the  
 27176 Treasury Department, and to remain incapable of being sold,  
 27177 without the consent of the President and Senate, which may,  
 27178 however, be given after the expiration of twenty-one years. 2d.

27179 Five thousand dollars per annum, for the purposes of education,  
 27180 teachers, school-houses, and books in their own language, to be  
 27181 continued twenty years, and as long thereafter as Congress may  
 27182 appropriate for the object. 3d. Three thousand dollars for mis-  
 27183 sions, subject to the conditions mentioned in the second clause  
 27184 of this article. 4th. Ten thousand dollars for agricultural im-  
 27185 plements, cattle, mechanics' tools, and such other objects as the  
 27186 President may deem proper. 5th. Three hundred dollars per  
 27187 annum for vaccine matter, medicines, and the services of physi-  
 27188 cians, to be continued while the Indians remain on their reserva-  
 27189 tions. 6th. Provisions to the amount of two thousand dollars;  
 27190 six thousand five hundred pounds of tobacco; one hundred bar-  
 27191 rels of salt, and five hundred fish-barrels, annually, for twenty  
 27192 years. 7th. One hundred and fifty thousand dollars, in goods  
 27193 and provisions, on the ratification of this treaty, to be delivered  
 27194 at Michilimackinac.

27195 ARTICLE 5. The sum of three hundred thousand dollars  
 27196 shall be set apart for the payment of just debts against the said  
 27197 Indians. All claims for such debts shall be examined by a com-  
 27198 missioner to be appointed by the President and Senate, who  
 27199 shall act under such instructions as may be given to him, by the  
 27200 order of the President, for the purpose of preventing the allow-  
 27201 ance of unjust claims. The investigation shall be made at  
 27202 Michilimackinac, and no claims shall be allowed, except such as  
 27203 were contracted by Indians living within the district of country  
 27204 hereby ceded, and to citizens or residents of the United States.  
 27205 No claim shall be paid out of this fund unless the claimant will  
 27206 receive the sum allowed to him as full payment of all debts due  
 27207 to him by the said Indians. If the fund fall short of the full  
 27208 amount of just debts, then a ratable division shall be made. If  
 27209 it exceed such amount the balance shall be paid over to the In-  
 27210 dians in the same manner that annuities are required by law to  
 27211 be paid.

27212 ARTICLE 6. The said Indians being desirous of making pro-  
 27213 visions for their half-breed relatives, and the President having  
 27214 determined that individual reservations shall not be granted, it  
 27215 is agreed that in lieu thereof the sum of one hundred and fifty  
 27216 thousand dollars shall be set apart as a fund for said half-breeds.  
 27217 No person shall be entitled to any part of said fund, unless he is  
 27218 of Indian descent and actually resident within the boundaries  
 27219 described in the first article of this treaty, nor shall anything be  
 27220 allowed to any such person who may have received any allow-  
 27221 ance at any previous Indian treaty. The following principles  
 27222 shall regulate the distribution. A census shall be taken of all  
 27223 the men, women, and children coming within this article. As  
 27224 the Indians hold in higher consideration some of their half-

27225 breeds than others, and as there is much difference in their ca-  
 27226 pacity to use and take care of property, and, consequently, in  
 27227 their power to aid their Indian connexions, which furnishes a  
 27228 strong ground for this claim, it is, therefore, agreed, that at the  
 27229 council to be held upon this subject the commissioner shall call  
 27230 upon the Indian chiefs to designate, if they require it, three  
 27231 classes of these claimants, the first of which shall receive one-  
 27232 half more than the second, and the second double the third.  
 27233 Each man, woman, and child shall be enumerated, and an equal  
 27234 share, in the respective classes, shall be allowed to each. If the  
 27235 father is living with the family, he shall receive the shares of  
 27236 himself, his wife, and children. If the father is dead, or separated  
 27237 from the family, and the mother is living with the family, she  
 27238 shall have her own share, and that of the children. If the father  
 27239 and mother are neither living with the family, or if the children  
 27240 are orphans, their share shall be retained till they are twenty-  
 27241 one years of age; provided, that such portions of it as may be  
 27242 necessary may, under the direction of the President, be from  
 27243 time to time applied for their support. All other persons at the  
 27244 age of twenty-one years shall receive their shares agreeably to  
 27245 the proper class. Out of the said fund of one hundred and fifty  
 27246 thousand dollars, the sum of five thousand dollars shall be re-  
 27247 served to be applied, under the direction of the President, to the  
 27248 support of such of the poor half-breeds as may require assist-  
 27249 ance, to be expended in annual instalments for the term of ten  
 27250 years, commencing with the second year. Such of the half-breeds  
 27251 as may be judged incapable of making a proper use of the money  
 27252 allowed them by the commissioner, shall receive the same in in-  
 27253 stalments, as the President may direct.

27254 ARTICLE 7. In consideration of the cessions above made,  
 27255 and as a further earnest of the disposition felt to do full justice  
 27256 to the Indians, and to further their well-being, the United States  
 27257 engage to keep two additional blacksmith-shops, one of which  
 27258 shall be located on the reservation north of Grand River, and  
 27259 the other at the *Sault Ste. Marie*. A permanent interpreter will  
 27260 be provided at each of these locations. It is stipulated to  
 27261 renew the present dilapidated shop at Michilimackinac, and to  
 27262 maintain a gunsmith, in addition to the present smith's estab-  
 27263 lishment, and to build a dormitory for the Indians visiting the  
 27264 post, and appoint a person to keep it, and supply it with fire-  
 27265 wood. It is also agreed to support two farmers and assistants,  
 27266 and two mechanics, as the President may designate, to teach  
 27267 and aid the Indians in agriculture and the mechanic arts. The  
 27268 farmers and mechanics, and the dormitory, will be continued for  
 27269 ten years, and as long thereafter as the President may deem  
 27270 this arrangement useful and necessary; but the benefits of the

27271 other stipulations of this article shall be continued beyond the  
 27272 expiration of the annuities, and it is understood that the whole  
 27273 of this article shall stand in force, and inure to the benefit of the  
 27274 Indians, as long after the expiration of the twenty years as Con-  
 27275 gress may appropriate for the objects.

27276 ARTICLE 8. It is agreed that, as soon as the said Indians  
 27277 desire it, a deputation shall be sent to the west of the Missis-  
 27278 sippi, and to the country between Lake Superior and the Mis-  
 27279 sissippi, and a suitable location shall be provided for them,  
 27280 among the Chippewas, if they desire it, and it can be purchased  
 27281 upon reasonable terms, and if not, then in some portion of the  
 27282 country west of the Mississippi which is at the disposal of the  
 27283 United States. Such improvements as add value to the land  
 27284 hereby ceded shall be appraised, and the amount paid to the  
 27285 proper Indian. But such payment shall in no case be assigned  
 27286 to, or paid to, a white man. If the church on the Cheboigan  
 27287 should fall within this cession, the value shall be paid to the band  
 27288 owning it. The mission establishment upon the Grand River  
 27289 shall be appraised and the value paid to the proper boards.  
 27290 When the Indians wish it, the United States will remove them,  
 27291 at their expence, provide them a year's subsistence in the coun-  
 27292 try to which they go, and furnish the same articles and equip-  
 27293 ments to each person as are stipulated to be given to the Potto-  
 27294 watomies in the final treaty of cession concluded at Chicago.

27295 ARTICLE 9. Whereas the Ottawas and Chippewas, feeling  
 27296 a strong consideration for aid rendered by certain of their half-  
 27297 breeds on Grand River, and other parts of the country ceded,  
 27298 and wishing to testify their gratitude on the present occasion,  
 27299 have assigned such individuals certain locations of land, and  
 27300 united in a strong appeal for the allowance of the same in this  
 27301 treaty; and whereas no such reservations can be permitted in  
 27302 carrying out the special directions of the President on this sub-  
 27303 ject, it is agreed that, in addition to the general fund set apart  
 27304 for half-breed claims, in the sixth article, the sum of forty-eight  
 27305 thousand one hundred and forty-eight dollars shall be paid for  
 27306 the extinguishment of this class of claims, to be divided in the  
 27307 following manner: To Rix Robinson, in lieu of a section of land,  
 27308 granted to his Indian family, on the Grand River rapids, (esti-  
 27309 mated by good judges to be worth half a million,) at the rate of  
 27310 thirty-six dollars an acre; to Leonard Slater, in trust for Chim-  
 27311 inonoquat, for a section of land above said rapids, at the rate of  
 27312 ten dollars an acre; to John A. Drew, for a tract of one section  
 27313 and three quarters, to his Indian family, at Cheboigan rapids,  
 27314 at the rate of four dollars; to Edward Biddle, for one section to  
 27315 his Indian family at the fishing-grounds, at the rate of three  
 27316 dollars; to John Holiday, for five sections of land to five per-

27317 sons of his Indian family, at the rate of one dollar and twenty-  
 27318 five cents; to Eliza Cook, Sophia Biddle, and Mary Holiday,  
 27319 one section of land each, at two dollars and fifty cents; to  
 27320 Augustin Hamelin, junr., being of Indian descent, two sec-  
 27321 tions, at one dollar and twenty-five cents; to William Lasley,  
 27322 Joseph Daily, Joseph Trotier, Henry A. Levake, for two sections  
 27323 each for their Indian families, at one dollar and twenty-five  
 27324 cents; to Luther Rice, Joseph Lafrombois, Charles Butterfield,  
 27325 being of Indian descent, and to George Moran, Louis Moran,  
 27326 G. D. Williams, for half-breed children under their care, and to  
 27327 Daniel Marsac, for his Indian child, one section each, at one  
 27328 dollar and twenty-five cents.

27329 ARTICLE 10. The sum of thirty thousand dollars shall be  
 27330 paid to the chiefs, on the ratification of this treaty, to be divided  
 27331 agreeably to a schedule hereunto annexed.

27332 ARTICLE 11. The Ottaways having consideration for one of  
 27333 their aged chiefs, who is reduced to poverty, and it being known  
 27334 that he was a firm friend of the American Government, in that  
 27335 quarter, during the late war, and suffered much in consequence  
 27336 of his sentiments, it is agreed that an annuity of one hundred  
 27337 dollars per annum shall be paid to Ningweegon, or the Wing,  
 27338 during his natural life, in money or goods, as he may choose.  
 27339 Another of the chiefs of said nation, who attended the treaty of  
 27340 Greenville in 1793, and is now, at a very advanced age, reduced  
 27341 to extreme want, together with his wife, and the Government  
 27342 being apprized that he has pleaded a promise of Gen. Wayne  
 27343 in his behalf, it is agreed that Chusco of Michilimackinac shall  
 27344 receive an annuity of fifty dollars per annum during his natural  
 27345 life.

27346 ARTICLE 12. All expenses attending the journies of the  
 27347 Indians from and to their homes, and their visit at the seat of  
 27348 Government, together with the expenses of the treaty, including  
 27349 a proper quantity of clothing to be given them, will be paid by  
 27350 the United States.

27351 ARTICLE 13. The Indians stipulate for the right of hunting  
 27352 on the lands ceded, with the other usual privileges of occupancy,  
 27353 until the land is required for settlement.

27354 Proclaimed May 27, 1836.

27355 *Schedule referred to in the tenth article.*

27356 1. The following chiefs constitute the first class, and are  
 27357 entitled to receive five hundred dollars each, namely: On Grand  
 27358 River, Mucutay Osha, Namatippy, Nawequa Geezhig or Noon  
 27359 Day, Nabun Egeezhig, son of Kewayguabowequa, Wabi Wind-  
 27360 ego or the White Giant, Cawpemossay or the Walker, Mukutay  
 27361 Oquot or Black Cloud, Megis Ininee or Wampum-man, Winni-

27362 missagee; on the Maskigo, Osawya, and Owun Aischcum; at  
 27363 L'Arbre Croche, Apawkozigun, or Smoking Weed, Nisowakeout,  
 27364 Keminechawgun; at Grand Travers, Aishquagonabee, or the  
 27365 Feather of Honor, Chabwossun, Mikenok; on the Cheboigan,  
 27366 Chingassamo, or the Big Sail; at Thunder Bay, Mujeekiwiss;  
 27367 on the Manistic North, Mukons Ewyun; at Oak Point on the  
 27368 straits, Ains; at the Chenos, Chabowaywa; at Sault Ste. Marie,  
 27369 Iawba Wadick and Kewayzi Shawano; at Tacquimenon, Kaw-  
 27370 gayosh; at Grand Island, Oshawun Epenaysee, or the South  
 27371 Bird.

27372 2. The following chiefs constitute the second class, and are  
 27373 entitled to receive two hundred dollars each, namely: On Grand  
 27374 River, Keeshaowash, Nugogikaybee, Kewaytowaby, Wapoos or  
 27375 the Rabbit, Wabitouguaysay, Kewatondo, Zhaquinaw, Nawiqua  
 27376 Geezhig of Flat River, Kenaytinunk, Weenonga, Pabawboco,  
 27377 Windecowiss, Muccutay Penay or Black Patridge, Kaynotin  
 27378 Aishcum, Boynashing, Shagwabeno, son of White Giant, Tush-  
 27379 etowun, Keway Goosheum, the former head chief, Pamossayga;  
 27380 at L'Arbre Croche, Sagitondowa, Ogiman Wininee, Megisawba,  
 27381 Mukuday Benais; at the Cross, Nisheajininee, Nawamusheota,  
 27382 Pabamitabi, Kimmewun, Gitchy Mocoman; at Grand Traverse,  
 27383 Akosa, Nebauquaum, Kabibonocca; at Little Traverse, Misco-  
 27384 mamaingwa or Red Butterfly, Keezhigo Benais, Pamanikinong,  
 27385 Paimossega; on the Cheboigan, Chonees, or Little John, Shaw-  
 27386 eenossega; on Thunder Bay, Suganikwato; on Maskigo, Was-  
 27387 sangazo; on Ossigomico or Platte River, Kaigwaidosay; at  
 27388 Manistee, Keway Goosheum; on river Pierre Markette, Saugima;  
 27389 at Saulte Ste. Marie, Neegaubayun, Mukndaywacquot, Cheegud;  
 27390 at Carp River west of Grand Island, Kaug Wyanaïs; at Mille  
 27391 Cocquin on the straits, Aubunway; at Michilimaekinae, Missu-  
 27392 tigo, Saganosh, Akkukogeesh, Chebyawboas.

27393 3. The following persons constitute the third class, and are  
 27394 entitled to one hundred dollars each, namely; Kayshewa, Pen-  
 27395 asee or Gun Lake, Kenisoway, Keenabie of Grand River; Wasso,  
 27396 Mosaniko, Unwatin Oasheum, Nayogirna, Itawachkoichi, Nanaw  
 27397 Ogomoo, Gitchy, Peendowan or Scabbard, Mukons, Kinochimaig,  
 27398 Tekamosimo, Pewaywitum, Mudji Keguabi, Kewayaum, Paush-  
 27399 kizigun or Big Gun, Onaausino, Ashquabaywiss, Negaunigabowi,  
 27400 Petossega, of L'Arbre Croche; Poiees or Dwarf and Pamossay  
 27401 of Cheboigan; Gitchy Ganocquot and Pamossega of Thunder  
 27402 Bay; Tabusshy Geeshick and Mikenok, of Carp River south of  
 27403 Grand Traverse; Wapooso, Kaubinau, and Mudjeekee of river  
 27404 Pierre Markette; Pubokway, Manitowaba, and Mishewatig, of  
 27405 White River; Shawun Epenaysee and Agausgee of Grand Traver-  
 27406 se; Micqumisut, Chusco of Mackinac; Keeshkidjiwun, Waub  
 27407 Ojeeg, Aukudo, Winikis, Jaubeens, Maidosagee, Autya, Ishqua-

27408 gunaby, Shaniwaygwunabi, son of Kakakee, Nittum Egabowi,  
 27409 Magisanikway, Ketekewegauboway, of Sault Ste. Marie; Che-  
 27410 gauzehe and Waubudo of Grand Island; Ashegons, Kinuwais,  
 27411 Misquaonaby and Mongons of Carp and Chocolate Rivers; Gitchy  
 27412 Penaisson of Grosse Tete, and Waubissaig of Bay de Nocquet:  
 27413 Kainwaybekis and Pazhikwaywitum of Beaver Islands; Neez-  
 27414 hick Epenais of the Ance; Ahdanima of Manistic; Mukwyon,  
 27415 Wahzahkoon, Oshawun, Oneshannocqut of the north shore of  
 27416 Lake Michigan; Nagauniby and Keway Gooshkum of the  
 27417 Chenos.

27418

HENRY R. SCHOOLCRAFT,

27419

*Commissioner.*

27420

*Supplemental article.*

27421 To guard against misconstruction in some of the foregoing  
 27422 provisions, and to secure, by further limitations, the just rights  
 27423 of the Indians, it is hereby agreed that no claims under the  
 27424 fifth article shall be allowed for any debts contracted previous  
 27425 to the late war with Great Britain, or for goods supplied by for-  
 27426 eigners to said Indians, or by citizens, who did not withdraw  
 27427 from the country during its temporary occupancy by foreign  
 27428 troops, for any trade carried on by such persons during the said  
 27429 period. And it is also agreed that no person receiving any  
 27430 commutation for a reservation, or any portion of the fund pro-  
 27431 vided by the sixth article of this treaty, shall be entitled to the  
 27432 benefit of any part of the annuities herein stipulated. Nor shall  
 27433 any of the half-breeds, or blood relatives of the said tribes com-  
 27434 muned with, under the provisions of the ninth article, have any  
 27435 further claim on the general commutation fund set apart to sat-  
 27436 isfy reservation claims, in the said sixth article. It is also un-  
 27437 derstood that the personal annuities stipulated in the eleventh  
 27438 article shall be paid in specie, in the same manner that other  
 27439 annuities are paid. Any excess of the funds set apart in the  
 27440 fifth and sixth articles shall, in lieu of being paid to the Indians,  
 27441 be retained and invested by the Government in stock under the  
 27442 conditions mentioned in the fourth article of this treaty.

27443 FRANKLIN PIERCE, President of the United States of America,  
 27444 to all persons to whom these presents shall come, greeting:

27445 Whereas a treaty was made and concluded at the city of  
 27446 Detroit, in the State of Michigan, on the thirty-first day of July,  
 27447 eighteen hundred and fifty-five, between George W. Manypenny  
 27448 and Henry C. Gilbert, commissioners on the part of the United  
 27449 States, and the Ottawa and Chippewa Indians of Michigan,  
 27450 parties to the treaty of March twenty-eighth, eighteen hundred  
 27451 and thirty-six, which treaty is in the words and figures follow-  
 27452 ing, to wit:

27453 Articles of agreement and convention made and concluded at  
 27454 the city of Detroit, in the State of Michigan, this the thirty-  
 27455 first day of July, one thousand eight hundred and fifty-five,  
 27456 between George W. Manypenny and Henry C. Gilbert,  
 27457 commissioners on the part of the United States, and the  
 27458 Ottawa and Chippewa Indians of Michigan, parties to the  
 27459 treaty of March 28, 1836.

27460 In view of the existing condition of the Ottawas and Chip-  
 27461 pewas, and of their legal and equitable claims against the  
 27462 United States, it is agreed between the contracting parties as  
 27463 follows:

27464 ARTICLE 1. The United States will withdraw from sale for  
 27465 the benefit of said Indians as hereinafter provided, all the un-  
 27466 sold public lands within the State of Michigan embraced in the  
 27467 following descriptions, to wit:

27468 First. For the use of the six bands residing at and near  
 27469 Sault Ste. Marie, sections 13, 14, 23, 24, 25, 26, 27, and 28, in  
 27470 township 47 north, range 5 west; sections 18, 19, and 30, in  
 27471 township 47 north, range 4 west; sections 11, 12, 13, 14, 15, 22,  
 27472 23, 25, and 26, in township 47 north, range 3 west, and section  
 27473 29 in township 47 north, range 2 west; sections 2, 3, 4, 11, 14,  
 27474 and 15 in township 47 north, range 2 east; and section 34 in  
 27475 township 48 north, range 2 east; sections 6, 7, 18, 19, 20, 28, 29,  
 27476 and 33 in township 45 north, range 2 east; sections 1, 12, and  
 27477 13, in township 45 north, range 1 east, and section 4 in township  
 27478 44 north, range 2 east.

27479 Second. For the use of the bands who wish to reside east of  
 27480 the Straits of Macinae, townships 42 north, ranges 1 and 2 west;  
 27481 township 43 north, range 1 west, and township 44 north, range  
 27482 12 west.

27483 Third. For the Beaver Island Band, High Island, and Gar-  
 27484 den Island, in Lake Michigan, being fractional townships 38 and  
 27485 39 north, range 11 west, 40 north, range 10 west, and in part 39  
 27486 north, range 9 and 10 west.

27487 Fourth. For the Cross Village, Middle Village, L'Arbrech-  
 27488 roche and Bear Creek bands, and of such Bay du Noc and Bea-  
 27489 ver Island Indians as may prefer to live with them, townships  
 27490 34 to 39, inclusive, north, range 5 west, townships 34 to 38, inclu-  
 27491 sive, north, range 6 west, townships 34, 36, and 37 north, range  
 27492 7 west, and all that part of township 34 north, range 8 west,  
 27493 lying north of Pine River.

27494 Fifth. For the bands who usually assemble for payment at  
 27495 Grand Traverse, townships 29, 30, and 31 north, range 11 west,  
 27496 and townships 29, 30, and 31 north, range 12 west, and the east  
 27497 half of township 29 north, range 9 west.

27498 Sixth. For the Grand River bands, township 12 north

27499 range 15 west, and townships 15, 16, 17 and 18 north, range 16  
27500 west.

27501 Seventh. For the Cheboygan band, townships 35 and 36  
27502 north, range 3 west.

27503 Eighth. For the Thunder Bay band, section 25 and 36 in  
27504 township 30 north, range 7 east, and section 22 in township 30  
27505 north, range 8 east.

27506 Should either of the bands residing near Sault Ste. Marie  
27507 determine to locate near the lands owned by the missionary  
27608 society of the Methodist Episcopal Church at Iroquois Point, in  
27509 addition to those who now reside there, it is agreed that the  
27510 United States will purchase as much of said lands for the use of  
27511 the Indians as the society may be willing to sell at the usual  
27512 Government price.

27513 The United States will give to each Ottawa and Chippewa  
27514 Indian, being the head of a family, 80 acres of land, and to each  
27515 single person over twenty-one years of age, 40 acres of land, and  
27516 to each family of orphan children under twenty-one years of age  
27517 containing two or more persons, 80 acres of land, and to each  
27518 single orphan child under twenty-one years of age, 40 acres of  
27519 land, to be selected and located within the several tracts of land  
27520 hereinbefore described, under the following rules and regu-  
27521 lations:

27522 Each Indian entitled to land under this article may make  
27523 his own selection of any land within the tract reserved herein for  
27524 the band to which he may belong: *Provided*, That in case of  
27525 two or more Indians claiming the same lot or tract of land, the  
27526 matter shall be referred to the Indian agent, who shall examine  
27527 the case and decide between the parties.

27528 For the purpose of determining who may be entitled to land  
27529 under the provisions of this article, lists shall be prepared by  
27530 the Indian agent, which lists shall contain the names of all  
27531 persons entitled, designating them in four classes. Class 1st,  
27532 shall contain the names of heads of families; class 2d, the  
27533 names of single persons over twenty-one years of age; class 3d,  
27534 the names of orphan children under twenty-one years of age,  
27535 comprising families of two or more persons, and class 4th, the  
27536 names of single orphan children under twenty-one years of age,  
27537 and no person shall be entered in more than one class. Such  
27538 lists shall be made and closed by the first day of July, 1856, and  
27539 thereafter no applications for the benefits of this article will be  
27540 allowed.

27541 At any time within five years after the completion of the  
27542 lists, selections of lands may be made by the persons entitled  
27543 thereto, and a notice thereof, with a description of the land  
27544 selected, filed in the office of the Indian agent in Detroit, to be

27545 by him transmitted to the Office of Indian Affairs at Washing-  
27546 ton City.

27547 All sections of land under this article must be made accord-  
27548 ing to the usual legal subdivisions; and fractional lots, if con-  
27549 taining less than 60 acres, may be regarded as forty-acre lots,  
27550 if over sixty and less than one hundred and twenty acres, as  
27551 eighty-acre lots. Selections for orphan children may be made  
27552 by themselves or their friends, subject to the approval of the  
27553 agent.

27554 After selections are made, as herein provided, the persons  
27555 entitled to the land may take immediate possession thereof, and  
27556 the United States will thenceforth, and until the issuing of pat-  
27557 ents as hereinafter provided, hold the same in trust for such per-  
27558 sons, and certificates shall be issued, in a suitable form, guaran-  
27559 teeing and securing to the holders their possession and an ulti-  
27560 mate title to the land. But such certificates shall not be assign-  
27561 able, and shall contain a clause expressly prohibiting the sale or  
27562 transfer by the holder of the land described therein.

27563 After the expiration of ten years, such restriction on the  
27564 power of sale shall be withdrawn, and a patent shall be issued  
27565 in the usual form to each original holder of a certificate for the  
27566 land described therein: *Provided*, That such restriction shall  
27567 cease only upon the actual issuing of the patent: *And provided*  
27568 *further*, That the President may, in his discretion, at any time,  
27569 in individual cases, on the recommendation of the Indian agent,  
27570 when it shall appear prudent and for the welfare of any holder  
27571 of a certificate, direct a patent to be issued: *And provided, also*,  
27572 That after the expiration of ten years, if individual cases shall  
27573 be reported to the President by the Indian agent of persons who  
27574 may then be incapable of managing their own affairs, from any  
27575 reason whatever, he may direct the patents in such cases to be  
27576 withheld, and the restrictions provided by the certificate con-  
27577 tinued so long as he may deem necessary and proper.

27578 Should any of the heads of families die before the issuing  
27579 of the certificates or patents herein provided for, the same shall  
27580 issue to the heirs of such deceased persons.

27581 The benefits of this article will be extended only to those  
27582 Indians who are at this time actual residents of the State of  
27583 Michigan, and entitled to participate in the annuities provided  
27584 by the treaty of March 28, 1836, (next preceding;) but this pro-  
27585 vision shall not be construed to exclude any Indian now belong-  
27586 ing to the Garden River band of Sault Ste. Marie.

27587 All the land embraced within the tracts hereinbefore de-  
27588 scribed that shall not have been appropriated or selected within  
27589 five years shall remain the property of the United States, and  
27590 the same shall thereafter, for the further term of five years, be

subject to entry in the usual manner, and at the same rate per acre, as other adjacent public lands are then held, by Indians only; and all lands so purchased by Indians shall be sold without restriction, and certificates and patents shall be issued for the same in the usual form as in ordinary cases; and all lands remaining unappropriated by or unsold to the Indians after the expiration of the last-mentioned term may be sold or disposed of by the United States, as in the case of all other public lands.

Nothing contained herein shall be so construed as to prevent the appropriation, by sale, gift, or otherwise, by the United States, of any tract or tracts of land within the aforesaid reservations for the location of churches, school-houses, or for other educational purposes, and for such purposes purchases of land may likewise be made from the Indians, the consent of the President of the United States having in every instance first been obtained therefor.

It is also agreed that any lands within the aforesaid tracts now occupied by actual settlers, or by persons entitled to pre-emption thereon, shall be exempt from the provisions of this article; provided, that such pre-emption claims shall be proved, as prescribed by law, before the 1st day of October next.

Any Indian who may have heretofore purchased land for actual settlement, under the act of Congress known as the Graduation Act, may sell and dispose of the same; and, in such case, no actual occupancy or residence by such Indians on lands so purchased shall be necessary to enable him to secure a title thereto.

In consideration of the benefits derived to the Indians on Grand Traverse Bay by the school and mission established in 1838, and still continued by the Board of Foreign Missions of the Presbyterian Church, it is agreed that the title to three separate pieces of land, being parts of tracts Nos. 3 and 4, of the west fractional half of section 35, township 30 north, range 10 west, on which are the mission and school buildings and improvements, not exceeding in all sixty-three acres one hundred and twenty-four perches, shall be vested in the said board on payment of \$1.25 per acre; and the President of the United States shall issue a patent for the same to such person as the said board shall appoint.

The United States will also pay the further sum of forty thousand dollars, or so much thereof as may be necessary, to be applied in liquidation of the present just indebtedness of the said Ottawa and Chippewa Indians; provided, that all claims presented shall be investigated under the direction of the Secretary of the Interior, who shall prescribe such rules and regulations for conducting such investigation, and for testing the validity

27637 and justness of the claims, as he shall deem suitable and proper ;  
 27638 and no claim shall be paid except upon the certificate of the said  
 27639 Secretary that, in his opinion, the same is justly and equitably  
 27640 due; and all claimants, who shall not present their claims within  
 27641 such time as may be limited by said Secretary within six months  
 27642 from the ratification of the treaty, or whose claims, having been  
 27643 presented, shall be disallowed by him, shall be forever precluded  
 27644 from collecting the same, or maintaining an action thereon in  
 27645 any court whatever; and provided, also, that no portion of the  
 27646 money due said Indians for annuities, as herein provided, shall  
 27647 ever be appropriated to pay their debts under any pretence  
 27648 whatever; provided, that the balance of the amount herein  
 27649 allowed, as a just increase of the amount due for the cessions  
 27650 and relinquishments aforesaid, after satisfaction of the awards  
 27651 of the Secretary of the Interior, shall be paid to the said Chip-  
 27652 pewas, or expended for their benefit, in such manner as the Sec-  
 27653 retary shall prescribe, in aid of any of the objects specified in  
 27654 the second article of this treaty.

27655 ARTICLE 2. The United States will also pay to the said  
 27656 Indians the sum of five hundred and thirty-eight thousand and  
 27657 four hundred dollars, in manner following, to wit:

27658 First. Eighty thousand dollars for educational purposes, to  
 27659 be paid in ten equal annual instalments of eight thousand dol-  
 27660 lars each, which sum shall be expended under the direction of  
 27661 the President of the United States; and in the expenditure of  
 27662 the same, and the appointment of teachers and management of  
 27663 schools, the Indians shall be consulted, and their views and  
 27664 wishes adopted so far as they may be just and reasonable.

27665 Second. Seventy-five thousand dollars to be paid in five  
 27666 equal annual instalments of fifteen thousand dollars each in ag-  
 27667 ricultural implements and carpenters' tools, household furniture,  
 27668 and building materials, cattle, labor, and all such articles as may  
 27669 be necessary and useful for them in removing to the homes  
 27670 herein provided and getting permanently settled thereon.

27671 Third. Forty-two thousand and four hundred dollars for the  
 27672 support of four blacksmith-shops for ten years.

27673 Fourth. The sum of three hundred and six thousand dol-  
 27674 lars in coin, as follows: ten thousand dollars of the principal,  
 27675 and the interest on the whole of said last-mentioned sum remain-  
 27676 ing unpaid at the rate of five per cent. annually for ten years,  
 27677 to be distributed *per capita* in the usual manner for paying an-  
 27678 nuities. And the sum of two hundred and six thousand dollars  
 27679 remaining unpaid at the expiration of ten years shall be then  
 27680 due and payable, and if the Indians then require the payment  
 27681 of said sum in coin the same shall be distributed *per capita* in

27682 the same manner as annuities are paid, and in not less than four  
27683 equal annual instalments.

27684 Fifth. The sum of thirty-five thousand dollars in ten annual  
27685 instalments of three thousand and five hundred dollars each, to  
27686 be paid only to the Grand River Ottawas, which is in lieu of all  
27687 permanent annuities to which they may be entitled by former  
27688 treaty stipulations, and which sum shall be distributed in the  
27689 usual manner *per capita*.

27690 ARTICLE 3. The Ottawa and Chippewa Indians hereby re-  
27691 lease and discharge the United States from all liability on ac-  
27692 count of former treaty stipulations, it being distinctly under-  
27693 stood and agreed that the grants and payments hereinbefore  
27694 provided for are in lieu and satisfaction of all claims, legal and  
27695 equitable, on the part of said Indians jointly and severally against  
27696 the United States, for land, money, or other thing guaranteed  
27697 to said tribes or either of them by the stipulations of any for-  
27698 mer treaty or treaties; excepting, however, the right of fishing  
27699 and encampment secured to the Chippewas of Sault Ste. Marie  
27700 by the treaty of June 16, 1820, (proclaimed March 2, 1821;  
27701 see pp. 143-144.)

27702 ARTICLE 4. The interpreters at Sault Ste. Marie, Mackinac,  
27703 and for the Grand River Indians shall be continued, and an  
27704 other provided at Grand Traverse, for the term of five years  
27705 and as much longer as the President may deem necessary.

27706 ARTICLE 5. The tribal organization of said Ottawa and  
27707 Chippewa Indians, except so far as may be necessary for the  
27708 purpose of carrying into effect the provisions of this agreement,  
27709 is hereby dissolved; and if at any time hereafter further nego-  
27710 tiations with the United States in reference to any matters con-  
27711 tained herein should become necessary, no general convention  
27712 of the Indians shall be called; but such as reside in the vicinity  
27713 of any usual place of payment, or those only who are immedi-  
27714 ately interested in the questions involved, may arrange all mat-  
27715 ters between themselves and the United States without the con-  
27716 currence of other portions of their people, and as fully and con-  
27717 clusively, and with the same effect in every respect, as if all were  
27718 represented.

27719 ARTICLE 6. This agreement shall be obligatory and binding  
27720 on the contracting parties as soon as the same shall be ratified  
27721 by the President and Senate of the United States.

27722 Proclaimed September 10, 1856.

## 27723 ONEIDAS, TUSCARORAS, AND STOCKBRIDGES.

27724 *A treaty between the United States and the Oneida, Tuscorora, and*  
 27725 *Stockbridge Indians, dwelling in the country of the Oneidas.*

27726 Whereas in the late war between Great Britain and the  
 27727 United States of America, a body of the Oneida and Tuscorora  
 27728 and the Stockbridge Indians adhered faithfully to the United  
 27729 States and assisted them with their warriors; and in conse-  
 27730 quence of this adherence and assistance the Oneidas and Tus-  
 27731 cororas, at an unfortunate period of the war, were driven from  
 27732 their homes, and their houses were burnt and their property de-  
 27733 stroyed; and as the United States, in the time of their distress,  
 27734 acknowledged their obligations to these faithful friends, and  
 27735 promised to reward them; and the United States being now in  
 27736 a condition to fulfill the promises then made, the following ar-  
 27737 ticles are stipulated by the respective parties for that purpose;  
 27738 to be in force when ratified by the President and Senate.

27739 ARTICLE 1. The United States will pay the sum of five  
 27740 thousand dollars, to be distributed among individuals of the  
 27741 Oneida and Tuscorora Nations, as a compensation for their in-  
 27742 dividual losses and services during the late war between Great  
 27743 Britain and the United States. The only man of the Kaughna-  
 27744 waugas now remaining in the Oneida country, as well as some  
 27745 few very meritorious persons of the Stockbridge Indians, will  
 27746 be considered in the distribution.

27747 ARTICLE 2. For the general accommodation of these Indian  
 27748 nations residing in the country of the Oneidas, the United States  
 27749 will cause to be erected a complete grist-mill and saw-mill, in a  
 27750 situation to serve the present principal settlements of these na-  
 27751 tions. Or if such one convenient situation cannot be found,  
 27752 then the United States will cause to be erected two such grist-  
 27753 mills and saw-mills in places where it is now known the pro-  
 27754 posed accommodation may be effected. Of this the United  
 27755 States will judge.

27756 ARTICLE 3. The United States will provide, during three  
 27757 years after the mills shall be completed, for the expense of em-  
 27758 ploying one or two suitable persons to manage the mills, to keep  
 27759 them in repair, to instruct some young men of the three nations  
 27760 in the arts of the miller and sawyer, and to provide teams and  
 27761 utensils for carrying on the work of the mills.

27762 ARTICLE 4. The United States will pay one thousand dol-  
 27763 lars, to be applied in building a convenient church at Oneida,  
 27764 in the place of the one which was there burnt by the enemy in  
 27765 the late war.

27766 ARTICLE 5. In consideration of the above stipulations to

27767 be performed on the part of the United States, the Oneida, Tus-  
 27768 corora, and Stockbridge Indians aforementioned now acknowl-  
 27769 edge themselves satisfied, and relinquish all other claims of com-  
 27770 pensation and rewards for their losses and services in the late  
 27771 war, excepting only the unsatisfied claims of such men of the  
 27772 said nations as bore commissions under the United States for  
 27773 any arrears which may be due to them as officers.  
 27774 Proclaimed January 21, 1795.

27775 ONEIDAS—FIRST CHRISTIAN AND ORCHARD PAR-  
 27776 TIES.

27777 *Articles of a treaty made at the city of Washington between Carey*  
 27778 *A. Harris, thereto specially directed by the President of the*  
 27779 *United States, and the First Christian and Orchard parties of*  
 27780 *the Oneida Indians residing at Green Bay, by their chiefs and*  
 27781 *representatives.*

27782 ARTICLE 1. The First Christian and Orchard parties of In-  
 27783 dians cede to the United States all their title and interest in the  
 27784 land set apart for them in the 1st article of the treaty with the  
 27785 Menomonies of February 8th, 1831, (proclaimed July 9, 1832;  
 27786 see page 469,) and the 2d article of the treaty with the same  
 27787 tribe of October 27th, 1832, (proclaimed March 13, 1833; see  
 27788 page 479.)

27789 ARTICLE 2. From the foregoing cession there shall be re-  
 27790 served to the said Indians, to be held as other Indian lands are  
 27791 held, a tract of land containing one hundred (100) acres, for each  
 27792 individual, and the lines of which shall be so run as to include  
 27793 all their settlements and improvements in the vicinity of Green  
 27794 Bay.

27795 ARTICLE 3. In consideration of the cession contained in the  
 27796 1st article of this treaty, the United States agree to pay to the  
 27797 Orchard party of the Oneida Indians three thousand (3,000) dol-  
 27798 lars, and to the First Christian party of Oneida Indians thirty  
 27799 thousand five hundred (30,500) dollars, of which last sum three  
 27800 thousand (3,000) dollars may be expended under the supervision  
 27801 of the Rev. Solomon Davis, in the erection of a church and par-  
 27802 sonage house, and the residue apportioned, under the direction  
 27803 of the President, among the persons having just claims thereto;  
 27804 it being understood that said aggregate sum of thirty-three  
 27805 thousand five hundred (33,500) dollars is designed to be in re-im-  
 27806 bursement of monies expended by said Indians and in remunera-  
 27807 tion of the services of their chiefs and agents in purchasing and  
 27808 securing a title to the land ceded in the 1st article. The United

27809 States further agree to cause the tracts reserved in the 2d article  
27810 to be surveyed as soon as practicable.

27811 ARTICLE 4. In consideration of the sum of five hundred  
27812 (500) dollars to be paid to him by the chiefs and representatives  
27813 of the said parties of Oneida Indians, John Denny, (*alias* John  
27814 Sundown,) their interpreter, agrees to relinquish to them all his  
27815 title and interest in the tract reserved in the 2d article of this  
27816 treaty.

27817 ARTICLE 5. It is understood and agreed that the expenses  
27818 of this treaty and of the chiefs and representatives signing it,  
27819 in coming to and returning from this city, and while here, shall  
27820 be paid by the United States.

27821 ARTICLE 6. This treaty to be binding upon the contracting  
27822 parties when the same shall be ratified by the United States.

27823 Proclaimed May 17, 1828.

27824 OREGON MIDDLE—TRIBES AND BANDS OF INDIANS  
27825 OF.

27826 *Treaty between the United States and the confederated tribes and*  
27827 *bands of Indians in Middle Oregon, concluded at Wasco, in*  
27828 *Oregon Territory, June 25, 1855; ratified by the Senate March*  
27829 *8, 1859.*

27830 JAMES BUCHANAN, President of the United States of America,  
27831 to all and singular to whom these present shall come, greet-  
27832 ing:

27833 Whereas a treaty was made and concluded at Wasco, near  
27834 the Dalles of the Columbia River, in Oregon Territory, on the  
27835 twenty-fifth day of June, eighteen hundred and fifty-five, be-  
27836 tween Joel Palmer, superintendent of Indian affairs for the said  
27837 Territory, on the part of the United States, and the following-  
27838 named chiefs and head-men of the confederated tribes and bands  
27839 of Indians residing in Middle Oregon, they being authorized  
27840 thereto by their respective bands, to wit: Symtustus, Locks-  
27841 quis-sa, Shick-ame, and Kuck-up, chiefs of the Ta-ih or Upper  
27842 De Chutes band of Walla-Wallas; Stocket-ly and Iso, chiefs of  
27843 Wyam or Lower De Chutes band of Walla-Wallas; Alexis and  
27844 Talk-ish, chiefs of the Tenino band of Walla-Walls; Yise, chief  
27845 of the Dock-spus or John Day's River band of Walla-Wallas;  
27846 Mark, William Chenook, and Cush-Kella, chiefs of the Dalles  
27847 band of the Wascoes; Toh-simph, chief of the Ki-gal-twal-la  
27848 band of the Wascoes, and Wal-lu-chin, chief of the Dog River  
27849 band of the Wascoes; which treaty is in the words and figures  
27850 following, to wit:

27851 Articles of agreement and convention made and concluded at  
 27852 Wasco, near the Dalles of the Columbia River, in Oregon  
 27853 Territory, by Joel Palmer, superintendent of Indian affairs,  
 27854 on the part of the United States, and the following-named  
 27855 chiefs and head-men of the confederated tribes and bands  
 27856 of Indians residing in Middle Oregon, they being duly  
 27857 authorized thereto by their respective bands, to wit, Sym-  
 27858 tustus, Locks-quis-sa, Shiek-a-me, and Kuck-up, chiefs of  
 27859 of the Taih or Upper De Chutes band of Walla-Wallas;  
 27860 Stocket-ly and Iso, chiefs of the Wyam or Lower De Chutes  
 27861 band of Walla-Wallas; Alexis and Talkish, chiefs of the  
 27862 Tenino band of Walla-Wallas; Yise, chief of the Dock-spus  
 27863 or John Day's River band of Walla-Wallas; Mark, William  
 27864 Chenook, and Cush-Kella, chiefs of the Dalles band of the  
 27865 Wascoes; Toh-simph, chief of the Ki-gal-twal-la band of  
 27866 Wascoes; and Wal-la-chin, chief of the Dog River band of  
 27867 Wascoes.

27868 ARTICLE 1. The above-named confederated bands of Indians  
 27869 cede to the United States all their right, title, and claim to all  
 27870 and every part of the country claimed by them, included in the  
 27871 following boundaries, to wit:

27872 Commencing in the middle of the Columbia River, at the  
 27873 Cascade Falls, and running thence southerly to the summit of  
 27874 the Cascade Mountains; thence along said summit to the forty-  
 27875 fourth parallel of north latitude; thence east on that parallel to  
 27876 the summit of the Blue Mountains, or the western boundary of the  
 27877 Sho-sho-ne or Snake country; thence northerly along that sum-  
 27878 mit to a point due east from the head-waters of Willow Creek;  
 27879 thence west to the head-waters of said creek; thence down said  
 27880 stream to its junction with the Columbia River; and thence  
 27881 down the channel of the Columbia River to the place of begin-  
 27882 ning: *Provided, however,* That so much of the country described  
 27883 above as is contained in the following boundaries shall, until  
 27884 otherwise directed by the President of the United States, be set  
 27885 apart as a residence for said Indians, which tract for the pur-  
 27886 poses contemplated shall be held and regarded as an Indian  
 27887 reservation, to wit:

27888 Commencing in the middle of the channel of the De Chutes  
 27889 River, opposite the eastern termination of a range of high lands  
 27890 usually know as the Mutton Mountains; thence westerly to the  
 27891 summit of said range, along the divide to its connection with  
 27892 the Cascade Mountains; thence to the summit of said mount-  
 27893 ains; thence southerly to Mount Jefferson; thence down the  
 27894 main branch of De Chutes River; heading in this peak to its  
 27895 junction with De Chutes River; and thence down the middle  
 27896 of the channel of said river to the place of beginning. All of

27897 which tract shall be set apart, and, so far as necessary, surveyed  
 27898 and marked out for their exclusive use ; nor shall any white per-  
 27899 son be permitted to reside upon the same without the concur-  
 27900 rent permission of the agent and superintendent.

27901 The said bands and tribes agree to remove to and settle  
 27902 upon the same within one year after the ratification of this  
 27903 treaty, without any additional expense to the United States  
 27904 other than is provided for by this treaty ; and, until the expira-  
 27905 tion of the time specified, the said bands shall be permitted to  
 27906 occupy and reside upon the tracts now possessed by them, guar-  
 27907 anteeing to all white citizens the right to enter upon and occupy  
 27908 as settlers any lands not included in said reservation, and not  
 27909 actually inclosed by said Indians. *Provided, however,* That prior  
 27910 to the removal of said Indians to said reservation, and before  
 27911 any improvements contemplated by this treaty shall have been  
 27912 commenced, that if the three principal bands, to wit: the Was-  
 27913 copum, Tiah, or Upper De Chutes, and the Lower De Chutes  
 27914 bands of Walla-Wallas shall express in council a desire that  
 27915 some other reservation may be selected for them, that the three  
 27916 bands named may select each three persons of their respective  
 27917 bands, who, with the superintendent of Indian affairs or agent,  
 27918 as may by him be directed, shall proceed to examine, and if  
 27919 another location can be selected, better suited to the condition  
 27920 and wants of said Indians, that is, unoccupied by the whites,  
 27921 and upon which the board of commissioners thus selected may  
 27922 agree, the same shall be declared a reservation for said Indians,  
 27923 instead of the tract named in this treaty. *Provided, also,* That  
 27924 the exclusive right of taking fish in the streams running through  
 27925 and bordering said reservation is hereby secured to said Indians ;  
 27926 and at all other usual and accustomed stations, in common with  
 27927 citizens of the United States, and of erecting suitable houses for  
 27928 curing the same ; also the privilege of hunting, gathering roots  
 27929 and berries, and pasturing their stock on unclaimed lands, in  
 27930 common with citizens, is secured to them. (N. B. The rights  
 27931 guaranteed by the foregoing proviso are relinquished by the arti-  
 27932 cle 1 of the treaty of November 15, 1865.) *And provided, also,*  
 27933 That if any band or bands of Indians, residing in and claiming  
 27934 any portion or portions of the country in this article, shall not  
 27935 accede to the terms of this treaty, then the bands becoming  
 27936 parties hereunto agree to receive such part of the several and  
 27937 other payments herein named as a consideration for the entire  
 27938 country described as aforesaid as shall be in the proportion that  
 27939 their aggregate number may have to the whole number of In-  
 27940 dians residing in and claiming the entire country aforesaid, as  
 27941 consideration and payment in full for the tracts in said country  
 27942 claimed by them. *And provided, also,* That where substantial

improvements have been made by any members of the bands being parties to this treaty, who are compelled to abandon them in consequence of said treaty, the same shall be valued, under the direction of the President of the United States, and payment made therefor; or, in lieu of said payment, improvements of equal extent and value at their option shall be made for them on the tracts assigned to each respectively.

ARTICLE 2. In consideration of, and payment for, the country hereby ceded, the United States agree to pay the bands and tribes of Indians claiming territory and residing in said country the several sums of money following, to wit:

Eight thousand dollars per annum for the first five years, commencing on the first day of September, 1856, or as soon thereafter as practicable.

Six thousand dollars per annum for the term of five years next succeeding the first five.

Four thousand dollars per annum for the term of five years next succeeding the second five; and

Two thousand dollars per annum for the term of five years next succeeding the third five.

All of which several sums of money shall be expended for the use and benefit of the confederated bands, under the direction of the President of the United States, who may from time to time, at his discretion, determine what proportion thereof shall be expended for such objects as, in his judgment, will promote their well-being and advance them in civilization; for their moral improvement and education; for building, opening and fencing farms, breaking land, providing teams, stock, agricultural implements, seeds, &c.; for clothing, provisions, and tools; for medical purposes, providing mechanics and farmers, and for arms and ammunition.

ARTICLE 3. The United States agree to pay said Indians the additional sum of fifty thousand dollars, a portion whereof shall be applied to the payment for such articles as may be advanced them at the time of signing this treaty, and in providing, after the ratification thereof and prior to their removal, such articles as may be deemed by the President essential to their want; for the erection of buildings on the reservation, fencing and opening farms; for the purchase of teams, farming implements, clothing and provisions, tools, seeds, and for the payment of employees; and for subsisting the Indians the first year after their removal.

ARTICLE 4. In addition to the considerations specified the United States agree to erect, at suitable points on the reservation, one saw-mill and one flouring-mill, suitable hospital buildings, one school-house, one blacksmith-shop with a tin and a gun-

27939 smith-shop thereto attached, one wagon and ploughmaker shop,  
 27990 and for one sawyer, one miller, one superintendent of farming  
 27991 operations, a farmer, a physician, a school-teacher, a blacksmith,  
 27992 and a wagon and ploughmaker, a dwelling house, and the requi-  
 27993 site outbuildings for each; and to purchase and keep in repair,  
 27994 for the time specified for furnishing employees, all necessary  
 27995 mill-fixtures, mechanics' tools, medicines and hospital stores,  
 27996 books and stationery for schools, and furniture for employees.

27997 The United States further engage to secure and pay for the  
 27998 services and subsistence, for the term of fifteen years, of one  
 27999 farmer, one blacksmith, and one wagon and plough maker, and  
 28000 for the term of twenty years, of one physician, one sawyer, one  
 28001 miller, one superintendent of farming operations, and one school  
 28002 teacher.

28003 The United States also engage to erect four dwelling-houses,  
 28004 one for the head chief of the confederated bands, and one each  
 28005 for the Upper and Lower De Chutes bands of Walla-Wallas,  
 28006 and for the Wascopum band of Wascoes, and to fence and  
 28007 plough for each of the said chiefs ten acres of land; also to pay  
 28008 the head chief of the confederated bands a salary of five hundred  
 28009 dollars per annum for twenty years, commencing six months  
 28010 after the three principal bands named in this treaty shall have  
 28011 removed to the reservation, or as soon thereafter as a head chief  
 28012 should be elected: *And provided, also,* That at any time when by  
 28013 the death, resignation, or removal of the chief selected, there  
 28014 shall be a vacancy and a successor appointed or selected, the  
 28015 salary, the dwelling, and improvements shall be possessed by  
 28016 said successor, so long as he shall occupy the position as head  
 28017 chief; so also with reference to the dwellings and improvements  
 28018 provided for by this treaty for the head chiefs of the three prin-  
 28019 cipal bands named.

28020 ARTICLE 5. The President may, from time to time, at his  
 28021 discretion, cause the whole, or such portion as he may think  
 28022 proper, of the tract that may now or hereafter be set apart as a  
 28023 permanent home for these Indians, to be surveyed into lots and  
 28024 assigned to such Indians of the confederated bands as may wish  
 28025 to enjoy the privilege and locate thereon permanently. To a  
 28026 single person over twenty-one years of age, forty acres; to a  
 28027 family of two persons, sixty acres; to a family of three and not  
 28028 exceeding five, eighty acres; to a family of six persons and not  
 28029 exceeding ten, one hundred and twenty acres; and to each  
 28030 family over ten in number twenty acres for each additional three  
 28031 members. And the President may provide such rules and regu-  
 28032 lations as will secure to the family in case of the death of the  
 28033 head thereof the possession and enjoyment of such permanent  
 28034 home and the improvement thereon; and he may, at any time,

at his discretion, after such person or family has made location on the land assigned as a permanent home, issue a patent to such person or family for such assigned land, conditioned that the tract shall not be aliened or leased for a longer term than two years, and shall be exempt from levy, sale, or forfeiture, which condition shall continue in force until a State constitution embracing such lands within its limits shall have been formed, and the legislature of the State shall remove the restrictions: *Provided, however,* That no State legislature shall remove the restrictions herein provided for without the consent of Congress: *And provided, also,* That if any person or family shall at any time neglect or refuse to occupy or till a portion of the land assigned and on which they have located, or shall roam from place to place, indicating a desire to abandon his home, the President may, if the patent shall have been issued, revoke the same, and if not issued cancel the assignment, and may also withhold from such person or family their portion of the annuities, or other money due them, until they shall have returned to such permanent home and resumed the pursuits of industry, and in default of their return the tract may be declared abandoned, and thereafter assigned to some other person or family of Indians residing on said reservation.

ARTICLE 6. The annuities of the Indians shall not be taken to pay the debts of individuals.

ARTICLE 7. The confederated bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all the citizens thereof, and pledge themselves to commit no depredation on the property of said citizens; and should any one or more of the Indians violate this pledge, and the fact be satisfactorily proven before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of their annuities; nor will they make war on any other tribe of Indians except in self-defence, but submit all matters of difference between them and other Indians to the Government of the United States or its agents for decision, and abide thereby; and if any of the said Indians commit any depredations on other Indians, the same rule shall prevail as that prescribed in the case of depredations against citizens; said Indians further engage to submit to and observe all laws, rules, and regulations which may be prescribed by the United States for the government of said Indians.

ARTICLE 8. In order to prevent the evils of intemperance among said Indians, it is hereby provided that if any one of them shall drink liquor to excess, or procure it for others to

28080 drink, his or her proportion of the annuities may be withheld  
28081 from him or her for such time as the President may determine.

28082 ARTICLE 9. The said confederated bands agree that when-  
28083 soever, in the opinion of the President of the United States, the  
28084 public interest may require it, that all roads, highways, and rail-  
28085 roads shall have the right of way through the reservation herein  
28086 designated, or which may at any time hereafter be set apart as  
28087 a reservation for said Indians.

28088 This treaty shall be obligatory on the contracting parties as  
28089 soon as the same shall be ratified by the President and Senate of  
28090 the United States.

28091 Proclaimed April 18, 1859.

28092 *Supplemental treaty between the United States of America and the*  
28093 *confederated tribes and bands of Indians of Middle Oregon,*  
28094 *concluded November 15, 1865; ratification advised March 2,*  
28095 *1867.*

28096 ANDREW JOHNSON, President of the United States of America,  
28097 to all and singular to whom these presents shall come, greet-  
28098 ing:

28099 Whereas a supplemental treaty was made and concluded  
28100 at the Warm Springs Indian agency, in the State of Oregon, on  
28101 the fifteenth day of November, in the year of our Lord one thou-  
28102 sand eight hundred and sixty-five, by and between J. W. Perit  
28103 Huntington, commissioner, on the part of the United States, and  
28104 Mark, William Chinook, Kuck-up, and other chiefs and head-  
28105 men of the confederated tribes and bands of Indians of Middle  
28106 Oregon, on the part of said Indians, and duly authorized there-  
28107 to by them, which treaty is in the words and figures following,  
28108 to wit:

28109 Articles of agreement and convention entered into at the  
28110 Warm Springs agency, Oregon, by J. W. Perit Huntington,  
28111 sup't Indian affairs for Oregon, on behalf of the United  
28112 States, and the undersigned, chiefs and head-men of the con-  
28113 federated tribes and bands of Middle Oregon, the same being  
28114 amendatory of, and supplemental to, the treaty negotiated  
28115 with the aforesaid tribes on the twenty-fifth day of June,  
28116 eighteen hundred and fifty-five, and ratified by the Senate  
28117 of the United States on the eighteenth day of April,  
28118 eighteen hundred and fifty-nine.

28119 ARTICLE 1. It having become evident from experience that  
28120 the provision of article 1 of the treaty of the twenty-fifth of June,  
28121 A. D. eighteen hundred and fifty-five, (next preceding,) which  
28122 permits said confederated tribes to fish, hunt, gather berries and

28123 roots, pasture stock, and erect houses on lands outside the reser-  
 28124 vation, and which have been ceded to the United States, is often  
 28125 abused by the Indians to the extent of continuously residing away  
 28126 from the reservation, and is detrimental to the interests of both  
 28127 Indians and whites; therefore it is hereby stipulated and agreed  
 28128 that all the rights enumerated in the third proviso of the first  
 28129 section of the before-mentioned treaty of the twenty-fifth of  
 28130 June, eighteen hundred and fifty-five, that is to say, the right  
 28131 to take fish, erect houses, hunt game, gather roots and berries,  
 28132 and pasture animals upon lands without the reservation set  
 28133 apart by the treaty aforesaid, are hereby relinquished by the  
 28134 confederated Indian tribes and bands of Middle Oregon, parties  
 28135 to this treaty.

28136 ARTICLE 2. The tribes aforesaid covenant and agree that  
 28137 they will hereafter remain upon said reservation, subject to the  
 28138 laws of the United States, the regulations of the Indian De  
 28139 partment, and the control of the officers thereof; and they fur-  
 28140 ther stipulate that if any of the members of said tribes do  
 28141 leave, or attempt to leave, said reservation in violation of this  
 28142 treaty, they will assist in pursuing and returning them, when  
 28143 called upon to do so by the superintendent or agent in charge.

28144 ARTICLE 3. In cases which may arise, which make it neces-  
 28145 sary for any Indian to go without the boundaries of said reserva-  
 28146 tion, the superintendent or agent in charge may, in his discre-  
 28147 tion, give to such Indian a written permit or pass, which shall  
 28148 always be for a short period and the expiration definitely fixed  
 28149 in said paper. Any Indian who, having gone out with a written  
 28150 pass, shall remain beyond the boundaries for a longer period  
 28151 than the time named in said pass, [shall] be deemed to have  
 28152 violated this treaty to the same extent as if he or she had gone  
 28153 without a pass.

28154 ARTICLE 4. An infraction of this treaty shall subject the  
 28155 Indian guilty thereof to a deprivation of his or her share of the  
 28156 annuities, and to such other punishment as the President of the  
 28157 United States may direct.

28158 ARTICLE 5. It is stipulated and agreed on the part of the  
 28159 United States, as a consideration for the relinquishment of the  
 28160 rights herein enumerated, that the sum of three thousand five  
 28161 hundred dollars shall be expended in the purchase of teams,  
 28162 agricultural implements, seeds, and other articles calculated to  
 28163 advance said confederated tribes in agriculture and civilization.

28164 ARTICLE 6. It is further agreed that the United States  
 28165 shall cause to be allotted to each head of a family in said confed-  
 28166 erated tribes and bands a tract of land sufficient for his or her  
 28167 use, the possession of which shall be guaranteed and secured to  
 28168 said family and the heirs thereof forever.

28169 ARTICLE 7. To the end that the vice of intemperance  
 28170 among said tribes may be checked, it is hereby stipulated that  
 28171 when any members thereof shall be known to drink ardent spir-  
 28172 its, or to have the same in possession, the facts shall be imme-  
 28173 diately reported to the agent or superintendent, with the name  
 28174 of the person or persons from whom the liquor was obtained ;  
 28175 and the Indians agree to diligently use, under the direction of  
 28176 the superintendent or agent, all proper means to secure the  
 28177 identification and punishment of the persons unlawfully fur-  
 28178 nishing liquor as aforesaid.

28179 Proclaimed March 29, 1867.

28180 OTTOES.

28181 *A treaty of peace and friendship made and concluded between Will-*  
 28182 *iam Clark and Auguste Chouteau, commissioners on the part*  
 28183 *and behalf of the United States of America, of the one part,*  
 28184 *and the undersigned chiefs and warriors of the Ottoes tribe of*  
 28185 *Indians, on the part and behalf of their said tribe, of the other*  
 28186 *part.*

28187 The parties being desirous of re establishing peace and  
 28188 friendship between the United States and their said tribe, and  
 28189 of being placed, in all things and in every respect, upon the  
 28190 same footing upon which they stood before the late war between  
 28191 the United States and Great Britain, have agreed to the follow-  
 28192 ing articles :

28193 ARTICLE 1. Every injury or act of hostility by one or either  
 28194 of the contracting parties against the other shall be mutually  
 28195 forgiven and forgot.

28196 ARTICLE 2. There shall be perpetual peace and friendship  
 28197 between all the citizens of the United States of America and  
 28198 all the individuals composing the said Ottoes tribe, and all the  
 28199 friendly relations that existed between them before the war shall  
 28200 be, and the same are hereby, renewed.

28201 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 28202 selves and their said tribes, do hereby acknowledge themselves  
 28203 to be under the protection of the United States of America, and  
 28204 of no other nation, power, or sovereign, whatsoever.

28205 Proclaimed December 26, 1817.

28206 OTTOES AND MISSOURIES.

28207 *Treaty with the Ottoe and Missouri Tribe.*

28208 For the purpose of perpetuating the friendship which has  
 28209 heretofore existed, as also to remove all future cause of discus-

28210 sion or dissension as it respects trade and friendship between  
 28211 the United States and their citizens, and the Ottoe and Missouri  
 28212 tribe of Indians, the President of the United States of America,  
 28213 by Brigadier-General Henry Atkinson, of the United States  
 28214 Army, and Major Benjamin O'Fallon, Indian agent, with full  
 28215 powers and authority, specially appointed and commissioned for  
 28216 that purpose, of the one part, and the undersigned chiefs, head-  
 28217 men, and warriors of the said Ottoe and Missouri tribe of In-  
 28218 dians, on behalf of their tribe, of the other part, have made and  
 28219 entered into the following articles and conditions, which, when  
 28220 ratified by the President of the United States, by and with the  
 28221 advice and consent of the Senate, shall be binding on both par-  
 28222 ties to wit :

28223       ARTICLE 1. It is admitted by the Ottoe and Missouri tribe  
 28224 of Indians that they reside within the territorial limits of the  
 28225 United States, acknowledge their supremacy, and claim their  
 28226 protection. The said tribe also admit the right of the United  
 28227 States to regulate all trade and intercourse with them.

28228       ARTICLE 2. The United States agree to receive the Ottoe  
 28229 and Missouri tribe of Indians into their friendship, and under  
 28230 their protection, and to extend to them, from time to time, such  
 28231 benefits and acts of kindness as may be convenient, and seem  
 28232 just and proper to the President of the United States.

28233       ARTICLE 3. All trade and intercourse with the Ottoe and  
 28234 Missouri tribe shall be transacted at such place or places as  
 28235 may be designated and pointed out by the President of the  
 28236 United States, through his agents; and none but American  
 28237 citizens, duly authorized by the United States, shall be admitted  
 28238 to trade or hold intercourse with said tribe of Indians.

28239       ARTICLE 4. That the Ottoe and Missouri tribe may be ac-  
 28240 commodated with such articles of merchandise, &c., as their  
 28241 necessities may demand, the United States agree to admit and  
 28242 license traders to hold intercourse with said tribe, under mild  
 28243 and equitable regulations: in consideration of which, the said  
 28244 Ottoe and Missouri tribe bind themselves to extend protection to  
 28245 the persons and the property of the traders, and the persons  
 28246 legally employed under them, whilst they remain within the limits  
 28247 of their particular district of country. And the said Ottoe and  
 28248 Missouri tribe further agree, that if any foreigner or other per-  
 28249 son, not legally authorized by the United States, shall come into  
 28250 their district of country, for the purpose of trade or other views,  
 28251 they will apprehend such person or persons, and deliver him or  
 28252 them to some United States superintendent, or agent of Indian  
 28253 affairs, or to the commandant of the nearest military post, to be  
 28254 dealt with according to law. And they further agree to give  
 28255 safe conduct to all persons who may be legally authorized by the

28256 United States to pass through their country; and to protect, in  
 28257 their persons and property, all agents or other persons sent by  
 28258 the United States to reside temporarily among them; nor will  
 28259 they, whilst on their distant excursions, molest or interrupt any  
 28260 American citizen or citizens who may be passing from the United  
 28261 States to New Mexico, or returning from thence to the United  
 28262 States.

28263 ARTICLE 5. That the friendship which is now established  
 28264 between the United States and the Ottoe and Missouri tribe  
 28265 should not be interrupted by the misconduct of individuals, it is  
 28266 hereby agreed, that for injuries done by individuals, no private  
 28267 revenge or retaliation shall take place, but instead thereof com-  
 28268 plaint shall be made, by the party injured, to the superintendent  
 28269 or agent of Indian affairs, or other person appointed by the  
 28270 President; and it shall be the duty of said chiefs, upon complaint  
 28271 being made as aforesaid, to deliver up the person or persons  
 28272 against whom the complaint is made, to the end that he or they  
 28273 may be punished agreeably to the laws of the United States.  
 28274 And, in like manner, if any robbery, violence, or murder shall  
 28275 be committed on any Indian or Indians belonging to said tribe,  
 28276 the person or persons so offending shall be tried, and if found  
 28277 guilty shall be punished in like manner as if the injury had been  
 28278 done to a white man. And it is agreed that the chiefs of said  
 28279 Ottoe and Missouri tribe shall, to the utmost of their power, exert  
 28280 themselves to recover horses or other property which may be  
 28281 stolen or taken from any citizen or citizens of the United States,  
 28282 by any individual or individuals of said tribe; and the property  
 28283 so recovered shall be forthwith delivered to the agents or other per-  
 28284 son authorized to receive it, that it may be restored to the proper  
 28285 owner. And the United States hereby guaranty to any Indian  
 28286 or Indians of said tribe a full indemnification for any horses or  
 28287 other property which may be stolen from them by any of their  
 28288 citizens: *Provided*, That the property stolen cannot be recovered,  
 28289 and that sufficient proof is produced that it was actually stolen  
 28290 by a citizen of the United States. And the said Ottoe and  
 28291 Missouri tribe engage, on the requisition or demand of the Presi-  
 28292 dent of the United States or of the agents, to deliver up any  
 28293 white man resident among them.

28294 ARTICLE 6. And the chiefs and warriors, as aforesaid, promise  
 28295 and engage that their tribe will never, by sale, exchange, or as  
 28296 presents, supply any nation, tribe, or band of Indians, not in  
 28297 amity with the United States, with guns, ammunition, or other  
 28298 implements of war.

28299 Proclaimed February 6, 1826.

28300 *Articles of agreement and convention, made at the Otoe Village on*  
 28301 *the River Platte, between Henry L. Ellsworth, commissioner in*  
 28302 *behalf of the United States, and the united bands of Otoes*  
 28303 *and Missouriias dwelling on the said Platte, this 21st day of*  
 28304 *September, A. D. 1833.*

28305 ARTICLE 1. The said Otoes and Missouriias cede and relin-  
 28306 quish to the United States all their right and title to the lands  
 28307 lying south of the following line, viz: Beginning on the Little  
 28308 Nemohaw River, at the northwest corner of the land reserved  
 28309 by treaty at Prairie du Chien on the 15th July, 1830, in favor  
 28310 of certain half-breeds of the Omahas, Ioways, Otoes, Yancton,  
 28311 and Santie bands of Sioux, and running westerly with said Lit-  
 28312 tle Nemohaw, to the head branches of the same; and thence  
 28313 running in a due west line as far west as said Otoes and Mis-  
 28314 sourias have or pretend to have any claim.

28315 ARTICLE 2. The United States agree to continue the pres-  
 28316 ent annuity of twenty-five hundred dollars, granted by said  
 28317 treaty of Prairie du Chien, to said Otoes and Missouriias, ten  
 28318 years from the expiration of the same, viz, ten years from 15th  
 28319 July, 1840.

28320 ARTICLE 3. The United States agree to continue for ten  
 28321 years from said 15th July, 1840, the annuity of five hundred  
 28322 dollars, granted for instruments for agricultural purposes.

28323 ARTICLE 4. The United States agree to allow annually five  
 28324 hundred dollars, for five years, for the purposes of education,  
 28325 which sum shall be expended under the direction of the Presi-  
 28326 dent; and continued longer if he deems proper. The schools,  
 28327 however, shall be kept within the limit of said tribe or nation.

28328 ARTICLE 5. The United States agree to erect a horse-mill  
 28329 for grinding corn, and to provide two farmers to reside in the  
 28330 nation, to instruct and assist said tribe, for the term of five  
 28331 years, and longer if the President thinks proper.

28332 ARTICLE 6. The United States agree to deliver to said  
 28333 Otoes and Missouriias one thousand dollars value in stock, which  
 28334 shall be placed in the care of the agent, or farmer, until the  
 28335 President thinks the same can safely be intrusted to the Indians.

28336 ARTICLE 7. It is expressly agreed and understood that the  
 28337 stipulations contained in the third, fourth, fifth, and sixth arti-  
 28338 cles are not to be fulfilled by the United States until the Otoes  
 28339 and Missouriias shall locate themselves in such convenient agri-  
 28340 cultural districts as the President may think proper, nor shall  
 28341 the payments be continued if the Otoes and Missouriias shall  
 28342 abandon such location as the President shall think best for their  
 28343 agricultural interest.

28344 ARTICLE 8. The Otoes and Missouriias declare their entire  
 28345 willingness to abandon the chase for the agricultural life—their

28346 desire for peace with all other tribes, and therefore agree not to  
 28347 make war against any tribe with whom they now are, or shall  
 28348 be, at peace; but should any difficulty arise between them and  
 28349 any other tribe, they agree to refer the matter in dispute to some  
 28350 arbiter whom the President shall appoint to adjust the same.

28351 ARTICLE 9. The United States agree to deliver the said  
 28352 Otoes and Missourias the value of four hundred dollars in  
 28353 goods and merchandise; which said Otoes and Missourias  
 28354 hereby acknowledge to have received.

28355 ARTICLE 10. This convention, or agreement, to be obliga-  
 28356 tory when ratified by the President and Senate of the United  
 28357 States.

28358 Proclaimed April 12, 1834.

28359 *Articles of a convention entered into and concluded at Bellevue,*  
 28360 *Upper Missouri, the fifteenth day of October, one thousand*  
 28361 *eight hundred and thirty-six, by and between John Dougherty,*  
 28362 *United States agent for Indian affairs, and Joshua Pilcher,*  
 28363 *United States Indian special agent, being specially authorized*  
 28364 *therefor; and the chiefs, braves, head-men, &c., of the Otoes,*  
 28365 *Missouries, Omahaws, and Yankton and Santee bands of*  
 28366 *Sioux, duly authorized by their respective tribes.*

28367 ARTICLE 1. Whereas it has been represented that accord-  
 28368 ing to the stipulations of the first article of the treaty of Prairie  
 28369 du Chien of the fifteenth of July, eighteen hundred and thirty,  
 28370 (proclaimed February 24, 1831,) the country ceded is "to be  
 28371 assigned and allotted under the direction of the President of  
 28372 the United States to the tribes now living thereon or to such  
 28373 other tribes as the President may locate thereon for hunting and  
 28374 other purposes;" and

28375 Whereas it is further represented to us the chiefs, braves, and  
 28376 head-men of the tribes aforesaid, that it is desirable that the lands  
 28377 lying between the State of Missouri and the Missouri River, and  
 28378 south of a line running due west from the northwest corner of  
 28379 said State until said line strikes the Missouri River, should be  
 28380 attached to and become a part of said State, and the Indian  
 28381 title thereto be entirely extinguished; but that notwithstanding,  
 28382 as these lands compose a part of the country embraced by the  
 28383 provisions of the said first article of the treaty aforesaid, the  
 28384 stipulations whereof will be strictly observed until the assent  
 28385 of the Indians interested is given to the proposed measure:

28386 Now we, the chiefs, braves, and principal men of the Otoes,  
 28387 Missourias, Omahaws, Yankton and Santee bands of Sioux  
 28388 aforesaid, fully understanding the subject and well satisfied  
 28389 from the local position of the lands in question that they never

28390 can be made available for Indian purposes; and that an attempt  
 28391 to place an Indian population on them must inevitably lead to  
 28392 collisions with the citizens of the United States; and further  
 28393 believing that the extension of the State line in the direction  
 28394 indicated would have a happy effect by presenting a natural  
 28395 boundary between the whites and Indians; and willing more-  
 28396 over to give the United States a renewed evidence of our at-  
 28397 tachment and friendship, do hereby for ourselves and on behalf  
 28398 of our respective tribes, (having full power and authority to this  
 28399 effect,) forever cede, relinquish, and quit-claim to the United  
 28400 States all our right, title, and interest, of whatsoever nature, in  
 28401 and to the lands lying between the State of Missouri and the  
 28402 Missouri River, and south of a line running due west from the  
 28403 northwest corner of the State to the Missouri River, as herein-  
 28404 before mentioned, and freely and fully exonerate the United  
 28405 States from any guarantee, condition, or limitation expressed or  
 28406 implied under the treaty of Prairie de Chien aforesaid, or other-  
 28407 wise, as to the entire and absolute disposition of said lands,  
 28408 fully authorizing the United States to do with the same what-  
 28409 ever shall seem expedient or necessary.

28410 ARTICLE 2. As a proof of the continued friendship and  
 28411 liberality of the United States towards the said Otoes, Missouries,  
 28412 Omahaws, and Yankton and Santee bands of Sioux, and as an  
 28413 evidence of the sence entertained for the good-will manifested  
 28414 by the said tribes to the citizens and Government of the United  
 28415 States, as evinced in the preceding cession and relinquishment;  
 28416 and as some compensation for the great sacrifice made by the  
 28417 several deputations at this particular season, by abandoning  
 28418 their fall hunts and traveling several hundred miles to attend  
 28419 this convention, the undersigned, John Dougherty and Joshua  
 28420 Pilcher, agrees, on behalf of the United States, to pay as a pres-  
 28421 ent to the tribes hereinbefore named the sum of four thousand  
 28422 five hundred and twenty dollars in merchandize, the receipt of  
 28423 which they hereby acknowledge, having been distributed among  
 28424 them in the proportions following: To the Otoes, twelve hundred  
 28425 and fifty dollars; to the Missouries, one thousand dollars; to the  
 28426 Omahaws, twelve hundred and seventy dollars; to the Yankton  
 28427 and Santee bands of Sioux, one thousand dollars.

28428 ARTICLE 3. In consequence of the removal of the Otoes  
 28429 and Missouries from their former situation on the river Platte  
 28430 to the place selected for them, and of their having to build new  
 28431 habitations last spring at the time which should have been  
 28432 occupied in attending to their crops, it appears that they have  
 28433 failed to such a degree as to make it *certain* that they will lack  
 28434 the means of subsisting next spring, when it will be necessary  
 28435 for them to commence cultivating the lands now preparing for

28436 their use. It is therefore agreed that the said Otoes and Mis-  
 28437 souries (in addition to the presents hereinbefore mentioned) shall  
 28438 be furnished, at the expence of the United States, with five  
 28439 hundred bushels of corn, to be delivered at their village in the  
 28440 month of April next. And the same causes operating upon the  
 28441 Omahaws, they having also abandoned their former situation,  
 28442 and established at the place recommended to them on the Mis-  
 28443 souri River, and finding it difficult without the aid of ploughs  
 28444 to cultivate land near there village, where they would be secure  
 28445 from their enemies, it is agreed, as a farther proof of the liber-  
 28446 ality of the Government and its disposition to advance such  
 28447 tribes in the cultivation of the soil as may manifest a disposition  
 28448 to rely on it for the future means of subsistence, that they shall  
 28449 have one hundred acres of ground broke up and put under a  
 28450 fence near their village, so soon as it can be done after the rati-  
 28451 fication of this convention.

28452 ARTICLE 4. The undersigned chiefs, braves, and head-men of  
 28453 the tribes hereinbefore named, feeling sensible of the many acts  
 28454 of kindness and liberality manifested towards them and their re-  
 28455 spective tribes by their good friends, Joseph Roubadoux, sen., and  
 28456 Lucien Fontenelle, during an intercourse of many years; aware of  
 28457 the heavy losses sustained by them at different times by their lib-  
 28458 erality in extending large credits to them and their people, which  
 28459 have never been paid, and which (owing to the impoverished  
 28460 situation of their country and their scanty means of living) never  
 28461 can be, are anxious to evince some evidence of gratitude for  
 28462 such benefits and favours, and compensate the said individuals  
 28463 in some measure for their losses. To this end, at the earnest  
 28464 solicitation of said tribes, it is agreed that the said Joseph  
 28465 Roubadoux, sen., shall have the privilege of selecting three  
 28466 sections of land, anywhere within the ceded territory, so soon  
 28467 as the same shall be surveyed, and the said Lucien Fontenelle  
 28468 shall be permitted to select two sections in like manner, which  
 28469 shall be conveyed to them by the United States without cost  
 28470 whenever the land so selected shall be reported by them, their  
 28471 agents, or legal representatives to the register and receiver of  
 28472 the land-office of the district in which they lie. It is, however,  
 28473 distinctly understood that if the President and Senate of the  
 28474 United States should refuse to ratify this and the last preceding  
 28475 article, or either of them, or any part thereof, that such refusal  
 28476 shall in no way affect the relinquishment and cession made by  
 28477 the tribes parties hereto in the first article of this convention.

28478 ARTICLE 5. This convention shall be obligatory on the  
 28479 tribes parties hereto from and after the date hereof, and on the  
 28480 United States from and after its ratification by the Government  
 28481 thereof.

28482 Proclaimed February 15, 1827.

28483 FRANKLIN PIERCE, President of the United States of America,  
 28484 to all and singular to whom these presents shall come,  
 28485 greeting:

28486 Whereas a treaty was made and concluded at the city of  
 28487 Washington on the fifteenth day of March, one thousand eight  
 28488 hundred and fifty-four, by George W. Manypenny, Commissioner  
 28489 of Indian Affairs, acting as commissioner on the part of the  
 28490 United States, and the confederate tribes of the Ottoe and Mis-  
 28491 souria Indians, which treaty is in the words following, to wit:

28492 Articles of agreement and convention made and concluded at  
 28493 the city of Washington, this fifteenth day of March, one  
 28494 thousand eight hundred and fifty-four, by George W. Many-  
 28495 penny, as commissioner on the part of the United States,  
 28496 and the following-named chiefs of the confederate tribes of  
 28497 the Ottoe and Missouri Indians, viz: Ar-ke-kee-tah, or Stay  
 28498 by It; Heh-cah-po, or Kickapoo; Shaw-ka-haw-wa, or Medi-  
 28499 cine Horse; Mi-ar-ke-tah-hun-she, or Big Soldier; Cha-won-  
 28500 a-ke, or Buffalo Chief; Ah-hah-che-ke-saw-ke, or Missouri  
 28501 Chief; and Maw-thra-ti-ne, or White Water; they being  
 28502 thereto duly authorized by said confederate tribes.

28503 ARTICLE 1. The confederate tribes of Ottoe and Missouri  
 28504 Indians cede to the United States all their country west of the  
 28505 Missouri River, excepting a strip of land on the waters of the  
 28506 Big Blue River, ten miles in width and bounded as follows:  
 28507 Commencing at a point in the middle of the main branch of the  
 28508 Big Blue River, in a west or southwest direction from Old Fort  
 28509 Kearney, at a place called by the Indians the "Islands;" thence  
 28510 west to the western boundary of the country hereby ceded;  
 28511 thence in a northerly course with said western boundary, ten  
 28512 miles; thence east to a point due north of the starting point  
 28513 and ten miles therefrom; thence to the place of beginning;  
 28514 *Provided*, That in case the said initial point is not within the  
 28515 limits of the country hereby ceded, or that the western boundary  
 28516 of said country is not distant twenty-five miles or more from the  
 28517 initial point, in either case, there shall be assigned by the United  
 28518 States to said Indians, for their future home, a tract of land not  
 28519 less than ten miles wide by twenty-five miles long, the southeast  
 28520 corner of which tract shall be the initial point above named.  
 28521 And such portion of such tract, if any, as shall prove to be out-  
 28522 side of the ceded country, shall be and the same is hereby granted  
 28523 and ceded to the confederate tribes of Ottoe and Missouri  
 28524 Indians by the United States, who will have said tract properly  
 28525 set off by durable monuments as soon after the ratification of  
 28526 this instrument as the same can conveniently be done.

28527 N. B. The limits of the above reservation are changed by  
 28528 the treaty of December 9, 1854, proclaimed April 19, 1855.  
 28529 See page 641.

28530 ARTICLE 2. The said confederate tribes agree that as soon  
 28531 after the United States shall make the necessary provision for  
 28532 fulfilling the stipulations of this instrument, as they can conve-  
 28533 niently arrange their affairs, and not to exceed one year after  
 28534 such provision is made, they will vacate the ceded country and  
 28535 remove to the lands herein reserved for them.

28536 ARTICLE 3. The said confederate tribes relinquish to the  
 28537 United States all claims for money or other thing under former  
 28538 treaties, and all claim which they may have heretofore at any  
 28539 time set up to any land on the east side of the Missouri River:  
 28540 *Provided*, That said confederate tribes shall receive the unex-  
 28541 pended balances of former appropriations now in the United  
 28542 States Treasury, of which four thousand dollars shall at once  
 28543 be applied for the purchase of provisions and to farming purposes.

28544 ARTICLE 4. In consideration of and payment for the country  
 28545 herein ceded, and the relinquishments herein made, the United  
 28546 States agree to pay to the said confederate tribes of Ottoe and  
 28547 Missouria Indians the several sums of money following, to wit:

28548 1st. Twenty thousand dollars per annum for the term of  
 28549 three years, commencing on the first day of January, one thou-  
 28550 sand eight hundred and fifty-nine.

28551 2d. Thirteen thousand dollars per annum for the term of  
 28552 ten years next succeeding the three years.

28553 3d. Nine thousand dollars per annum for the term of fifteen  
 28554 years next succeeding the ten years.

28555 4th. Five thousand dollars per annum for the term of twelve  
 28556 years next succeeding the fifteen years.

28557 All which several sums of money shall be paid to the said  
 28558 confederate tribes, or expended for their use and benefit, under  
 28559 the direction of the President of the United States, who may,  
 28560 from time to time, determine, at his discretion, what proportion  
 28561 of the annual payments in this article provided for, if any, shall  
 28562 be paid to them in money, and what proportion shall be applied  
 28563 to and expended for their moral improvement and education;  
 28564 for such beneficial objects as in his judgment will be calculated  
 28565 to advance them in civilization; for buildings, opening farms,  
 28566 fencing, breaking land, providing stock, agricultural implements,  
 28567 seeds, &c.; for clothing, provisions, and merchandise; for iron,  
 28568 steel, arms, and ammunition; for mechanics and tools, and for  
 28569 medical purposes.

28570 ARTICLE 5. In order to enable the said confederate tribes to  
 28571 settle their affairs, and to remove and subsist themselves for  
 28572 one year at their new home, (and which they agree to do with-  
 28573 out further expense to the United States,) and to break up and  
 28574 fence one hundred and fifty acres of land at their new home, they  
 28575 shall receive from the United States the further sum of twenty

28576 thousand dollars, to be paid out and expended under the direc-  
 28577 tion of the President, and in such manner as he shall approve.

28578       ARTICLE 6. The President may, from time to time, at his  
 28579 discretion, cause the whole of the land herein reserved or appro-  
 28580 priated west of the Big Blue River to be surveyed off into lots,  
 28581 and assign to such Indian or Indians of said confederate tribes  
 28582 as are willing to avail of the privilege, and who will locate on  
 28583 the same as a permanent home, if a single person over twenty-  
 28584 one years of age, one-eighth of a section; to each family of two,  
 28585 one quarter section; to each family of three and not exceeding  
 28586 five, one half section; to each family of six and not exceeding  
 28587 ten, one section; and to each family exceeding ten in number,  
 28588 one quarter section for every additional five members. And he  
 28589 may prescribe such rules and regulations as will secure to the  
 28590 family, in case of the death of the head thereof, the possession  
 28591 and enjoyment of such permanent home and the improvements  
 28592 thereon. And the President may, at any time in his discretion,  
 28593 after such person or family has made a location on the land  
 28594 assigned for a permanent home, issue a patent to such person or  
 28595 family for such assigned land, conditioned that the tract shall  
 28596 not be aliened or leased for a longer term than two years, and  
 28597 shall be exempt from levy, sale, or forfeiture, which conditions  
 28598 shall continue in force until a State constitution embracing such  
 28599 land within its boundaries shall have been formed, and the legis-  
 28600 lature of the State shall remove the restrictions. And if any  
 28601 such person or family shall at any time neglect or refuse to  
 28602 occupy and till a portion of the land assigned, and on which  
 28603 they have located, or shall rove from place to place, the Presi-  
 28604 dent may, if the patent shall have been issued, revoke the same,  
 28605 or, if not issued, cancel the assignment, and may also withhold  
 28606 from such person or family their proportion of the annuities or  
 28607 other moneys due them until they shall have returned to such  
 28608 permanent home and resumed the pursuits of industry; and in  
 28609 default of their return, the tract may be declared abandoned,  
 28610 and thereafter assigned to some other person or family of such  
 28611 confederate tribes, or disposed of as is provided for the disposal  
 28612 of the excess of said land. And the residue of the land hereby  
 28613 reserved, after all the Indian persons or families of such confed-  
 28614 erate tribes shall have had assigned to them permanent homes,  
 28615 may be sold for their benefit, under such laws, rules, or regula-  
 28616 tions as may hereafter be prescribed by the Congress or Presi-  
 28617 dent of the United States. No State legislature shall remove  
 28618 the restriction herein provided for without the consent of Con-  
 28619 gress.

28620       ARTICLE 7. The United States will erect for said confeder-  
 28621 ate tribes at their new home a grist and saw mill, and keep the

28622 same in repair, and provide a miller for the term of ten years ;  
 28623 also erect a good blacksmith shop, supply the same with tools,  
 28624 and keep it in repair for the term of ten years, and provide a  
 28625 good blacksmith for a like period, and employ an experienced  
 28626 farmer for ten years to instruct the Indians in agriculture.

28627 ARTICLE 8. The annuities of the Indians shall not be taken  
 28628 to pay the debts of individuals.

28629 ARTICLE 9. The said confederate tribes acknowledge their  
 28630 dependence on the Government of the United States, and prom-  
 28631 ise to be friendly with all the citizens thereof, and pledge them-  
 28632 selves to commit no depredations on the property of such citi-  
 28633 zens. And should any one or more of the Indians violate this  
 28634 pledge, and the fact be satisfactorily proven before the agent,  
 28635 the property taken shall be returned, or in default thereof, or if  
 28636 injured or destroyed, compensation may be made by the Govern-  
 28637 ment out of their annuities. Nor will they make war on any  
 28638 other tribe except in self-defence, but will submit all matters of  
 28639 difference between them and other Indians to the Government  
 28640 of the United States, or its agent, for decision, and abide there-  
 28641 by. And if any of the said Indians commit any depredations  
 28642 on any other Indians, the same rule shall prevail as that pre-  
 28643 scribed in this article in cases of depredations against citizens.

28644 ARTICLE 10. The Ottoes and Missouriias are desirous to ex-  
 28645 clude from their country the use of ardent spirits and to pre-  
 28646 vent their people from drinking the same ; and therefore it is  
 28647 provided that any one of them who is guilty of bringing liquor  
 28648 into their country, or who drinks liquor, may have his or her  
 28649 proportion of the annuities withheld from him or her for such  
 28650 time as the President may determine.

28651 ARTICLE 11. The said confederate tribes agree that all the  
 28652 necessary roads, and highways, and railroads, which may be  
 28653 constructed as the country improves, and the lines of which may  
 28654 run through their land west of the Big Blue River, shall have a  
 28655 right of way through the reservation, a just compensation being  
 28656 made therefor in money.

28657 ARTICLE 12. The United States will pay to Lewis Barnard  
 28658 the sum of three hundred dollars, he having been in the service  
 28659 of the said tribes and they being unable to pay him.

28660 ARTICLE 13. This treaty shall be obligatory on the con-  
 28661 tracting parties as soon as the same shall be ratified by the  
 28662 President and Senate of the United States.

28663 Proclaimed June 21, 1854.

28664 FRANKLIN PIERCE, President of the United States of America,  
 28665 to all and singular to whom these presents shall come,  
 28666 greeting :

28667 Whereas a treaty was made and concluded at Nebraska

28668 City, in the Territory of Nebraska, on the ninth day of Decem-  
 28669 ber, one thousand eight hundred and fifty-four, between the  
 28670 United States of America and the chiefs and head-men of the  
 28671 confederate tribes of the Otoe and Missouri Indians, which  
 28672 treaty is in the words following, to wit:

28673 Article of agreement and convention made and concluded at  
 28674 Nebraska City, in the Territory of Nebraska, on the ninth  
 28675 day of December, one thousand eight hundred and fifty-four,  
 28676 between the United States of America, by George Hepner,  
 28677 United States Indian agent, duly authorized thereto, and  
 28678 the chiefs and head-men of the confederate tribes of the  
 28679 Otoe and Missouri Indians, to be taken and considered as  
 28680 a supplement to the treaty made between the United States  
 28681 and said confederate tribes, on the fifteenth day of March,  
 28682 one thousand eight hundred and fifty-four.

28683 Whereas, by the first article of the treaty in the caption  
 28684 mentioned it is stipulated that the confederate tribes of Otoe  
 28685 and Missouri Indians cede to the United States all of their  
 28686 country west of the Missouri River, excepting a strip of land on  
 28687 the waters of the Big Blue River, ten miles in width, and  
 28688 bounded as follows: Commencing at a point in the middle of  
 28689 the main branch of the Big Blue River, in a west or southwest  
 28690 direction from old Fort Kearney, at a place called by the Indians,  
 28691 the "Islands;" thence west to the western boundary of the  
 28692 country hereby ceded; thence in a northerly course with said  
 28693 western boundary ten miles; thence east to a point due north  
 28694 of the starting point and ten miles therefrom; thence to the  
 28695 place of beginning.

28696 And whereas, upon exploration of said reservation by the  
 28697 said confederate tribes, it was found that they had been mis-  
 28698 taken as to the location thereof, much the larger portion, or  
 28699 nearly the entirety of it, being to the west of the Big Blue  
 28700 River, and without sufficiency of timber, and they being dis-  
 28701 satisfied therewith, and the United States being desirous of re-  
 28702 moving all cause of complaint, this article is entered into.

28703 ARTICLE. It is agreed and stipulated between the United  
 28704 States and the said confederate tribes of Otoe and Missouri  
 28705 Indians, that the initial point of their reservation, in lieu of that  
 28706 stated in the treaty in the caption hereof mentioned, shall be a  
 28707 point five miles due east thereof, thence west twenty-five miles;  
 28708 thence north ten miles; thence east to a point due north of the  
 28709 starting point and ten miles therefrom; thence to the place  
 28710 of beginning; and the country embraced within said bound-  
 28711 aries shall be taken and considered as the reservation and home  
 28712 of said confederate tribes, in lieu of that provided for them and  
 28713 described in the first article of said treaty.

28714 Proclaimed April 19, 1855.

S I R

28715

## PAWNEES.

28716

*Treaty with the Pawnee tribe.*

28717 For the purpose of perpetuating the friendship which has  
 28718 heretofore existed, as also to remove all future cause of discus-  
 28719 sion or dissension, as it respects trade and friendship between  
 28720 the United States and their citizens, and the Pawnee tribe of  
 28721 Indians, the President of the United States of America, by  
 28722 Brigadier-General Henry Atkinson, of the United States Army,  
 28723 and Major Benjamin O'Fallon, Indian agent, with full powers  
 28724 and authority, specially appointed and commissioned for that  
 28725 purpose, of the one part, and the undersigned chiefs, head-men,  
 28726 and warriors of said Pawnee tribe of Indians, on behalf of their  
 28727 tribe of the other part, have made and entered into the follow-  
 28728 ing articles and conditions, which, when ratified by the Presi-  
 28729 dent of the United States, by and with the advice and consent  
 28730 of the Senate, shall be binding on both parties, to wit :

28731 ARTICLE 1. It is admitted by the Pawnee tribe of Indians,  
 28732 that they reside within the territorial limits of the United  
 28733 States, acknowledge their supremacy, and claim their protec-  
 28734 tion. The said tribe also admit the right of the United States  
 28735 to regulate all trade and intercourse with them.

28736 ARTICLE 2. The United States agree to receive the Pawnee  
 28737 tribe of Indians into their friendship and under their protec-  
 28738 tion, and to extend to them, from time to time, such benefits and  
 28739 acts of kindness as may be convenient and seem just and proper  
 28740 to the President of the United States.

28741 ARTICLE 3. All trade and intercourse with the Pawnee  
 28742 tribe shall be transacted at such place or places as may be desig-  
 28743 nated and pointed out by the President of the United States  
 28744 through his agents ; and none but American citizens, duly au-  
 28745 thorized by the United States, shall be admitted to trade or hold  
 28746 intercourse with said tribe of Indians.

28747 ARTICLE 4. That the Pawnee tribe may be accommodated  
 28748 with such articles of merchandize, &c., as their necessities may  
 28749 demand, the United States agree to admit and licence traders  
 28750 to hold intercourse with said tribe, under mild and equitable  
 28751 regulations, in consideration of which, the said Pawnee tribe  
 28752 bind themselves to extend protection to the persons and prop-  
 28753 erty of the traders, and the persons legally employed under  
 28754 them, whilst they remain within the limits of their particular  
 28755 district of country. And the said Pawnee tribe further agree  
 28756 that if any foreigner or other person not legally authorized by  
 28757 the United States shall come into their district of country, for

28758 the purposes of trade or other views, they will apprehend such  
 28759 person or persons, and deliver him or them to some United  
 28760 States superintendent or agent of Indian Affairs, or to the  
 28761 commandant of the nearest military post, to be dealt with ac-  
 28762 cording to law. And they further agree to give safe-conduct to  
 28763 all persons who may be legally authorized by the United States  
 28764 to pass through their country, and to protect in their persons  
 28765 and property all agents or other persons sent by the United  
 28766 States to reside temporarily among them; nor will they, whilst  
 28767 on their distant excursions, molest or interrupt any American  
 28768 citizen or citizens who may be passing from the United States  
 28769 to New Mexico, or returning from thence to the United States.

28770 ARTICLE 5. That the friendship which is now established  
 28771 between the United States and the Pawnee tribe shall not be  
 28772 interrupted by the misconduct of individuals, it is hereby agreed  
 28773 that for injuries done by individuals, no private revenge or re-  
 28774 taliation shall take place, but instead thereof complaints shall  
 28775 be made by the party injured to the superintendent or agent of  
 28776 Indian affairs, or other person appointed by the President; and  
 28777 it shall be the duty of said chiefs, upon complaint being made  
 28778 as aforesaid, to deliver up the person or persons against whom  
 28779 the complaint is made, to the end that he or they may be pun-  
 28780 ished agreeably to the laws of the United States. And, in like  
 28781 manner, if any robbery, violence, or murder shall be committed  
 28782 on any Indian or Indians belonging to said tribe, the person or  
 28783 persons so offending shall be tried, and, if found guilty, shall be  
 28784 punished in like manner as if the injury had been done to a white  
 28785 man. And it is agreed that the chiefs of said Pawnee tribe shall,  
 28786 to the utmost of their power, exert themselves to recover horses  
 28787 or other property which may be stolen or taken from any citizen  
 28788 or citizens of the United States by any individual or individ-  
 28789 uals of said tribe; and the property so recovered shall be forth-  
 28790 with delivered to the agents or other person authorized to re-  
 28791 ceive it, that it may be restored to the proper owner. And the  
 28792 United States hereby guaranty to any Indian or Indians of said  
 28793 tribe a full indemnification for any horses or other property  
 28794 which may be stolen from them by any of their citizens: *Pro-*  
 28795 *vided*, That the property stolen cannot be recovered, and that  
 28796 sufficient proof is produced that it was actually stolen by a citi-  
 28797 zen of the United States. And the said Pawnee tribe engage,  
 28798 on the requisition or demand of the President of the United  
 28799 States, or of the agents, to deliver up any white man resident  
 28800 among them.

28801 ARTICLE 6. And the chiefs and warriors as aforesaid prom-  
 28802 ise and engage that their tribe will never, by sale, exchange, or  
 28803 as presents, supply any nation, tribe, or band of Indians not in

28804 amity with the United States, with guns, ammunition, or other  
28805 implements of war.

28806 Proclaimed February 6, 1826.

28807 PAWNEES GRAND.

28808 *A treaty of peace and friendship made and concluded by and*  
28809 *between William Clark and Auguste Chouteau, commissioners*  
28810 *of the United States of America, on the part and behalf of the*  
28811 *said States, of the one part, and the undersigned chiefs and*  
28812 *warriors of the Grand Pawnee tribe, on the part and behalf of*  
28813 *their said tribe, of the other part.*

28814 The parties, being desirous of establishing peace and friend-  
28815 ship between the United States and the said tribe, have agreed  
28816 to the following articles:

28817 ARTICLE 1. Every injury or act of hostility by one or  
28818 either of the contracting parties against the other shall be mu-  
28819 tually forgiven and forgot.

28820 ARTICLE 2. There shall be perpetual peace and friendship  
28821 between all the citizens of the United States of America and  
28822 all the individuals composing the said Grand Pawnee tribe.

28823 ARTICLE 3. The undersigned chiefs and warriors, for them-  
28824 selves and their said tribe, do hereby acknowledge themselves  
28825 to be under the protection of the United States of America, and  
28826 of no other nation, power, or sovereign whatsoever.

28827 ARTICLE 4. The undersigned chiefs and warriors, for them-  
28828 selves and the tribe they represent, do moreover promise and  
28829 oblige themselves to deliver up, or cause to be delivered up, to  
28830 the authority of the United States, (to be punished according to  
28831 law,) each and every individual of the said tribe who shall, at  
28832 any time hereafter, violate the stipulations of the treaty this day  
28833 concluded between the said tribe and the said United States.

28834 Proclaimed January 7, 1819.

28835 PAWNEE MARHAR.

28836 *A treaty of peace and friendship made and concluded by and between*  
28837 *William Clark and Auguste Chouteau, commissioners of the*  
28838 *United States of America, on the part and behalf of the said*  
28839 *States, of the one part, and the undersigned chiefs and war-*  
28840 *riors of the Pawnee Marhar tribe, on the part and behalf of*  
28841 *their said tribe, of the other part.*

28842 The parties, being desirous of establishing peace and friend-  
28843 ship between the United States and the said tribe, have agreed  
28844 to the following articles:

28845 ARTICLE 1. Every injury or act of hostility by one or either  
 28846 of the contracting parties against the other shall be mutually  
 28847 forgiven and forgot.

28848 ARTICLE 2. There shall be perpetual peace and friendship  
 28849 between all the citizens of the United States of America and  
 28850 all the individuals composing the said Pawnee tribe.

28851 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 28852 selves and their said tribe, do hereby acknowledge themselves to  
 28853 be under the protection of the United States of America, and of  
 28854 no other nation, power, or sovereign whatsoever.

28855 ARTICLE 4. The undersigned chiefs and warriors, for them-  
 28856 selves and the tribe they represent, do moreover promise and  
 28857 oblige themselves to deliver up, or to cause to be delivered up,  
 28858 to the authority of the United States, (to be punished according  
 28859 to law,) each and every individual of the said tribe who shall,  
 28860 at any time hereafter, violate the stipulations of the treaty this  
 28861 day concluded between the said Pawnee Marhar tribe and the  
 28862 said States.

28863 Proclaimed January 5, 1812.

28864 PAWNEES—PITAVIRATE NOISY TRIBE.

28865 *A treaty of peace and friendship made and concluded by and between*  
 28866 *William Clark and Auguste Chouteau, commissioners of the*  
 28867 *United States of America, on the part and behalf of the said*  
 28868 *States, of the one part, and the undersigned chiefs and warriors*  
 28869 *of the Pitavirate Noisy Pawnee tribe, on the part and behalf of*  
 28870 *their said tribe, of the other part.*

28871 The parties, being desirous of establishing peace and friend-  
 28872 ship between the United States and the said tribe, have agreed  
 28873 to the following articles:

28874 ARTICLE 1. Every injury or act of hostility by one or either  
 28875 of the contracting parties against the other shall be mutually  
 28876 forgiven and forgot.

28877 ARTICLE 2. There shall be perpetual peace and friendship  
 28878 between all the citizens of the United States of America and all  
 28879 the individuals composing the said Noisy Pawnee tribe.

28880 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 28881 selves and their said tribe, do hereby acknowledge themselves  
 28882 to be under the protection of the United States of America, and  
 28883 of no other nation, power, or sovereign whatsoever.

28884 ARTICLE 4. The undersigned chiefs and warriors, for them-  
 28885 selves and the tribe they represent, do moreover promise and

28886 oblige themselves to deliver up, or cause to be delivered up, to  
 28887 the authority of the United States, (to be punished according to  
 28888 law,) each and every individual of the said tribe who shall, at  
 28889 any time hereafter, violate the stipulations of the treaty this day  
 28890 concluded between the said Noisy Pawnee tribe and the said  
 28891 States.

28892 Proclaimed January 7, 1819.

28893

# PAWNEE REPUBLIC.

28894 *A treaty of peace and friendship made and concluded by and be-*  
 28895 *tween William Clark and Auguste Chouteau, commissioners*  
 28896 *of the United States of America, on the part and behalf of the*  
 28897 *said States, of the one part, and the undersigned chiefs and*  
 28898 *warriors of the Pawnee Republic, on the part and behalf of*  
 28899 *their tribe, of the other part.*

28900 The parties, being desirous of establishing peace and friend-  
 28901 ship between the United States and the said tribe, have agreed  
 28902 to the following articles:

28903 ARTICLE 1. Every injury or act of hostility by one or  
 28904 either of the contracting parties against the other shall be  
 28905 mutually forgiven and forgot.

28906 ARTICLE 2. There shall be perpetual peace and friendship  
 28907 between all the citizens of the United States of America and  
 28908 all the individuals composing the said Pawnee tribe.

28909 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 28910 selves and their said tribe, do hereby acknowledge themselves  
 28911 to be under the protection of the United States of America, and  
 28912 of no other nation, power, or sovereign whatsoever.

28913 ARTICLE 4. The undersigned chiefs and warriors, for them-  
 28914 selves and the tribe they represent, do moreover promise and  
 28915 oblige themselves to deliver up, or to cause to be delivered up,  
 28916 to the authority of the United States, (to be punished according  
 28917 to law,) each and every individual of the said tribe who shall,  
 28918 at any time hereafter, violate the stipulations of the treaty this  
 28919 day concluded between the said Pawnee Republic and the said  
 28920 States.

28921 Proclaimed January 17, 1819.

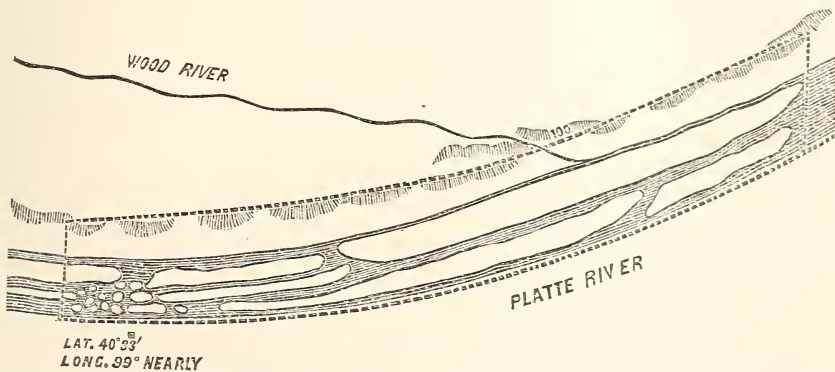
## 28922 PAWNEES—GRAND, LOUPS, REPUBLICANS, ETC.

28923 *Treaty with the Pawnees ; articles of agreement and convention*  
 28924 *made this sixth day of August, A. D. 1848, at Fort Childs,*  
 28925 *near the head of Grand Island, on the south side of the*  
 28926 *Nebraska or Great Platte River, between Lieutenant-Colonel*  
 28927 *Ludwell E. Powell, commanding battalion Missouri Mounted*  
 28928 *Volunteers, en route to Oregon, in behalf of the United States,*  
 28929 *and the chiefs and head-men of the four confederated bands of*  
 28930 *Pawnees, viz: Grand Pawnees, Pawnee Loups, Pawnee Repub-*  
 28931 *licans, and Pawnee Tappage, at present residing on the south*  
 28932 *side of the Platte River.*

28933 ARTICLE 1. The confederated bands of the Pawnees hereby  
 28934 cede and relinquish to the United States all their right, title,  
 28935 and interest in and to all that tract of land described as follows,  
 28936 viz: Commencing on the south side of the Platte River, five  
 28937 miles west of this post, "Fort Childs;" thence due north to the  
 28938 crest of the bluffs north of said Platte River; thence east and  
 28939 along the crest of said bluffs to the termination of Grand  
 28940 Island, supposed to be about sixty miles distant; thence south  
 28941 to the southern shore of said Platte River; and thence west and  
 28942 along the southern shore of the said Platte River to the place  
 28943 of beginning.

28944 The land hereby conveyed is designated within the redlines  
 28945 of the following plat:

28946 [NOTE.—*The red lines in the original plat are designated by*  
 28947 *dotted lines in this copy.*



28948 ARTICLE 2. In consideration of the land hereby ceded and  
 28949 relinquished, the United States has this day paid, through Cap-  
 28950 tain Stewart Van Vliet, assistant quartermaster United States  
 28951 Army, under an order from Lieutenant Colonel Ludwell E.  
 28952 Powell, commanding battalion Missouri Mounted Volunteers, to

28953 the said four bands collectively, on the execution of this treaty,  
 28954 the amount of two thousand dollars in goods and merchandise,  
 28955 the receipt of which is hereby acknowledged.

28956 ARTICLE 3. The United States shall have the privilege of  
 28957 using any hard timber that may at any time be needed situate  
 28958 upon Wood River, immediately north of the land hereby con-  
 28959 veyed.

28960 ARTICLE 4. The Pawnee Nation renew their assurance of  
 28961 friendship for the white men, their fidelity to the United States,  
 28962 and their desire for peace with all the neighboring tribes of In-  
 28963 dians.

28964 The Pawnee Nation, therefore, faithfully promise not to  
 28965 molest or injure the property or person of any white citizen of  
 28966 the United States wherever found, nor to make war upon any  
 28967 tribes with whom said Pawnee tribes now are, or may hereafter  
 28968 be, at peace; but, should any difficulty arise, they agree to refer  
 28969 the matter in dispute to such arbitration as the President of the  
 28970 United States may direct.

28971 ARTICLE 5. These articles of agreement and convention  
 28972 shall be binding and obligatory from this sixth day of August,  
 28973 A. D. 1848.

28974 Ratified January 8, 1849.

28975 *Articles of agreement and convention made this ninth day of Oc-*  
 28976 *tober, A. D. 1833, at the Grand Pawnee village, on the Platte*  
 28977 *River, between Henry L. Ellsworth, commissioner in behalf of*  
 28978 *the United States, and the chiefs and head-men of the four con-*  
 28979 *federated bands of Pawnees, viz: Grand Pawnees, Pawnee*  
 28980 *Loups, Pawnee Republicans, and Pawnee Tappaye, residing on*  
 28981 *the Platte and the Loup Fork.*

28982 ARTICLE 1. The confederated bands of Pawnees aforesaid  
 28983 hereby cede and relinquish to the United States all their right,  
 28984 interest, and title in and to all the land lying south of the Platte  
 28985 River.

28986 ARTICLE 2. The land ceded and relinquished hereby, so far  
 28987 as the same is not and shall not be assigned to any tribe or tribes,  
 28988 shall remain a common hunting-ground, during the pleasure of  
 28989 the President, for the Pawnees and other friendly Indians, who  
 28990 shall be permitted by the President to hunt on the same.

28991 ARTICLE 3. The United States, in consideration of said ces-  
 28992 sion, and for the purpose of advancing the welfare of the said  
 28993 Pawnees, agree to pay said bands annually, for the term of  
 28994 twelve years, the sum of forty-six hundred dollars in goods, at  
 28995 not exceeding St. Louis prices, as follows: to the Grand Paw-  
 28996 nees and Republican villages, each, thirteen hundred dollars,

28997 and to the Pawnee Loups and Tappaye Pawnee villages, each, one  
 28998 thousand dollars, and said annuity to said Grand Pawnees is in  
 28999 full remuneration for removal from the south to the north side  
 29000 of the Platte, and building again.

29001 ARTICLE 4. The United States agree to pay to each of said  
 29002 four bands, for five years, the sum of five hundred dollars, in  
 29003 agricultural implements; and to be continued longer if the  
 29004 President thinks proper.

29005 ARTICLE 5. The United States agree to allow one thousand  
 29006 dollars a year for ten years, for schools, to be established for the  
 29007 benefit of said four bands at the discretion of the President.

29008 ARTICLE 6. The United States agree to furnish two black-  
 29009 smiths and two strikers, with shop, tools, and iron, for ten years,  
 29010 for said four bands, at an expense not exceeding two thousand  
 29011 dollars in the whole annually.

29012 ARTICLE 7. The United States agree to furnish each of said  
 29013 four tribes with a farmer for five years, and deliver to said  
 29014 farmers, for the benefit of said nation, one thousand dollars value  
 29015 in oxen and other stock. But said stock is not to be delivered  
 29016 into the hands of the said Pawnees until the President thinks  
 29017 the same can be done with propriety and safety.

29018 ARTICLE 8. The United States agree to erect, for each of  
 29019 said four bands, a horse-mill for grinding corn.

29020 ARTICLE 9. The Pawnee Nation renew their assurance of  
 29021 friendship for the white men, their fidelity to the United States,  
 29022 and their desire for peace with all neighboring tribes of red-men.  
 29023 The Pawnee Nation therefore agree not to molest or injure the  
 29024 person or property of any white citizen of the United States,  
 29025 wherever found, nor to make war upon any tribe with whom said  
 29026 Pawnee Nation now are, or may be, at peace; but should any  
 29027 difficulty arise between said nation and any other tribe, they  
 29028 agree to refer the matter in dispute to such arbiter as the Pres-  
 29029 ident shall appoint to settle the same.

29030 ARTICLE 10. It is agreed and understood that the United  
 29031 States shall not be bound to fulfil the stipulations contained in  
 29032 the fifth, seventh, and eighth articles until said tribes shall lo-  
 29033 cate themselves in convenient agricultural districts, and remain  
 29034 in these districts the whole year, so as to give protection to the  
 29035 teachers, the farmers, stock, and mill.

29036 ARTICLE 11. The United States, desirous to show the Paw-  
 29037 nees the advantages of agriculture, engage, in case the Pawnees  
 29038 cannot agree to remain to protect their domestic interest, to  
 29039 break up for each village a piece of land suitable for corn and  
 29040 potatoes for one season; and should either village at any time  
 29041 agree to give the protection required, said village shall be en-

29042 titled to the benefits conferred in said fifth, seventh, and eighth  
29043 articles.

29044 ARTICLE 12. In case the Pawnee Nation will remain at  
29045 home during the year, and give the protection specified, the  
29046 United States agree to place twenty-five guns, with suitable  
29047 ammunition, in the hands of the farmers of each village, to be  
29048 used in case of an attack from hostile bands.

29049 ARTICLE 13. The United States further agree to deliver to  
29050 said four bands collectively, on the execution of this treaty, the  
29051 amount of sixteen hundred dollars in goods and merchandise,  
29052 and the receipt of the same is hereby acknowledged by said  
29053 bands.

29054 ARTICLE 14. These articles of agreement and convention  
29055 shall be obligatory and binding when ratified by the President  
29056 and Senate of the United States.

29057 Proclaimed April 12, 1834.

29058 *By the President of the United States of America :*

29059 A PROCLAMATION.

29060 *To all and singular to whom these presents shall come, greeting :*

29061 Whereas a treaty was made and concluded at Table Creek,  
29062 in the Territory of Nebraska, on the twenty-fourth day of Sep-  
29063 tember, one thousand eight hundred and fifty-seven, between  
29064 the United States of America, by James W. Denver, commis-  
29065 sioner duly authorized thereto, and the chiefs and head-men of  
29066 the four confederate bands of Pawnee Indians, viz: Grand  
29067 Pawnees, Pawnee Loups, Pawnee Republicans, and Pawnee  
29068 Tappahs, and generally known as the Pawnee tribe, which treaty  
29069 is in the following words, to wit:

29070 Articles of agreement and convention made this twenty-fourth  
29071 day of September, A. D. 1857, at Table Creek, Nebraska  
29072 Territory, between James W. Denver, commissioner on be-  
29073 half of the United States, and the chiefs and head-men of  
29074 the four confederate bands of Pawnee Indians, viz: Grand  
29075 Pawnees, Pawnee Loups, Pawnee Republicans, and Pawnee  
29076 Tappahs, and generally known as the Pawnee tribe.

29077 ARTICLE 1. The confederated bands of the Pawnees afore-  
29078 said hereby cede and relinquish to the United States all their  
29079 right, title, and interest in and to all the lands now owned or  
29080 claimed by them, except as hereinafter reserved, and which are  
29081 bounded as follows, viz: On the east by the lands lately pur-  
29082 chased by the United States from the Omahas; on the south by  
29083 the lands heretofore ceded by the Pawnees to the United States;  
29084 on the west by a line running due north from the junction of

29085 the North with the South Fork of the Platte River to the Keha-  
 29086 Paha River; and on the north by the Keha-Paha River to its  
 29087 junction with the Niobrara, Leauqui Court, or Running-Water  
 29088 River; and thence, by that river, to the western boundary of the  
 29089 late Omaha cession. Out of this cession the Pawnees reserve a  
 29090 tract of country, thirty miles long from east to west by fifteen  
 29091 miles wide from north to south, including both banks of the  
 29092 Loup Fork of the Platte River, the east line of which shall be  
 29093 at a point not further east than the mouth of Beaver Creek. If,  
 29094 however, the Pawnees, in conjunction with the United States  
 29095 agent, shall be able to find a more suitable locality for their  
 29096 future homes within said cession, then they are to have the  
 29097 privilege of selecting an equal quantity of land there in lieu of  
 29098 the reservation herein designated, all of which shall be done as  
 29099 soon as practicable; and the Pawnees agree to remove to their  
 29100 new homes, thus reserved for them, without cost to the United  
 29101 States, within one year from the date of the ratification of this  
 29102 treaty by the Senate of the United States, and, until that time,  
 29103 they shall be permitted to remain where they are now residing,  
 29104 without molestation.

29105 ARTICLE 2. In consideration of the foregoing cession, the  
 29106 United States agree to pay to the Pawnees the sum of forty  
 29107 thousand dollars per annum, for five years, commencing on the  
 29108 first day of January, A. D. eighteen hundred and fifty-eight  
 29109 and, after the end of five years, thirty thousand dollars per an-  
 29110 num, as a perpetual annuity, at least one-half of which annual  
 29111 payments shall be made in goods and such articles as may be  
 29112 deemed necessary for them.

29113 And it is further agreed that the President may, at any  
 29114 time, in his discretion, discontinue said perpetuity by causing  
 29115 the value of a fair commutation thereof to be paid to or ex-  
 29116 pended for the benefit of said Indians in such manner as to him  
 29117 shall seem proper.

29118 ARTICLE 3. In order to improve the condition of the Paw-  
 29119 nees and teach them the arts of civilized life, the United States  
 29120 agree to establish among them, and for their use and benefit,  
 29121 two manual-labor schools, to be governed by such rules and  
 29122 regulations as may be prescribed by the President of the United  
 29123 States, who shall also appoint the teachers, and, if he deems it  
 29124 necessary, may increase the number of schools to four. In these  
 29125 schools there shall be taught the various branches of a common-  
 29126 school education, and, in addition, the arts of agriculture, the  
 29127 most useful mechanical arts, and whatever else the President  
 29128 may direct. The Pawnees, on their part, agree that each and  
 29129 every one of their children, between the ages of seven and  
 29130 eighteen years, shall be kept constantly at these schools for at

29131 least nine months in each year; and if any parent or guardian  
 29132 shall fail, neglect, or refuse to so keep the child or children under  
 29133 his or her control at such school, then, and in that case, there  
 29134 shall be deducted from the annuities to which such parent or  
 29135 guardian would be entitled, either individually or as parent or  
 29136 guardian, an amount equal to the value in time of the tuition thus  
 29137 lost; but the President may at any time change or modify this  
 29138 clause as he may think proper. The chiefs shall be held re-  
 29139 sponsible for the attendance of orphans who have no other  
 29140 guardians; and the United States agree to furnish suitable  
 29141 houses and farms for said schools, and whatever else may be  
 29142 necessary to put them in successful operation; and a sum not  
 29143 less than five thousand dollars per annum shall be applied to  
 29144 the support of each school, so long as the Pawnees shall, in  
 29145 good faith, comply with the provisions of this article; but if at  
 29146 any time the President is satisfied they are not doing so, he  
 29147 may, at his discretion, discontinue the schools in whole or in  
 29148 part.

29149       ARTICLE 4. The United States agree to protect the Paw-  
 29150 nees in the possession of their new homes. The United States also  
 29151 agree to furnish the Pawnees—

29152       First, with two complete sets of blacksmith, gunsmith, and  
 29153 tinsmith tools, not to exceed in cost seven hundred and fifty  
 29154 dollars; and erect shops at a cost not to exceed five hundred  
 29155 dollars; also five hundred dollars annually, during the pleasure  
 29156 of the President, for the purchase of iron, steel, and other ne-  
 29157 cessaries for the same. The United States are also to furnish  
 29158 two blacksmiths, one of whom shall be a gunsmith and tinsmith;  
 29159 but the Pawnees agree to furnish one or two young men of their  
 29160 tribe to work constantly in each shop as strikers or apprentices,  
 29161 who shall be paid a fair compensation for their labor.

29162       Second. The United States agree to furnish farming utensils  
 29163 and stock, worth twelve hundred dollars per annum, for ten  
 29164 years, or during the pleasure of the President, and for the first  
 29165 year's purchase of stock, and for erecting shelters for the same,  
 29166 an amount not exceeding three thousand dollars, and also to em-  
 29167 ploy a farmer to teach the Indians the arts of agriculture.

29168       Third. The United States agree to have erected on said  
 29169 reservation a steam-mill, suitable to grind grain and to saw lum-  
 29170 ber, which shall not exceed in cost six thousand dollars, and to  
 29171 keep the same in repair for ten years; also, to employ a miller  
 29172 and engineer for the same length of time, or longer, at the dis-  
 29173 cretion of the President; the Pawnees agreeing to furnish ap-  
 29174 prentices, to assist in working the mill, who shall be paid a fair  
 29175 compensation for their services.

29176       Fourth. The United States agree to erect dwelling-houses

29177 for the interpreter, blacksmiths, farmer, miller, and engineer,  
 29178 which shall not exceed in cost five hundred dollars each; and  
 29179 the Pawnees agree to prevent the members of their tribe from  
 29180 injuring or destroying the houses, shops, machinery, stock, farm-  
 29181 ing utensils, and all other things furnished by the Government,  
 29182 and if any such shall be carried away, injured, or destroyed by  
 29183 any of the members of their tribe, the value of the same shall be  
 29184 deducted from the tribal annuities. Whenever the President  
 29185 shall become satisfied that the Pawnees have sufficiently ad-  
 29186 vanced in the acquirement of a practical knowledge of the arts  
 29187 and pursuits to which this article relates, then, and in that case,  
 29188 he may turn over the property to the tribe, and dispense with  
 29189 the services of any or all of the employees herein named.

29190 ARTICLE 5. The Pawnees acknowledge their dependence  
 29191 on the Government of the United States, and promise to be  
 29192 friendly with all the citizens thereof, and pledge themselves to  
 29193 commit no depredations on the property of such citizens, nor on  
 29194 that of any other person belonging to any tribe or nation at  
 29195 peace with the United States. And should any one or more of  
 29196 them violate this pledge, and the fact be satisfactorily proven  
 29197 before the agent, the property taken shall be returned, or, in de-  
 29198 fault thereof, or if injured or destroyed, compensation may be  
 29199 made by the Government out of their annuities. Nor will they  
 29200 make war on any other tribe, except in self-defence, but will sub-  
 29201 mit all matters of difference between them and other Indians to  
 29202 the Government of the United States, or its agent, for decision,  
 29203 and abide thereby.

29204 ARTICLE 6. The United States agent may reside on or near  
 29205 the Pawnee reservation; and the Pawnees agree to permit the  
 29206 United States to build forts and occupy military posts on their  
 29207 lands, and to allow the whites the right to open roads through  
 29208 their territories; but no white person shall be allowed to reside on  
 29209 any part of said reservation unless he or she be in the employ of  
 29210 the United States, or be licensed to trade with said tribe, or be  
 29211 a member of the family of such employé or licensed trader; nor  
 29212 shall the said tribe, or any of them, alienate any part of said  
 29213 reservation except to the United States; but, if they think  
 29214 proper to do so, they may divide said lands among themselves,  
 29215 giving to each person, or each head of a family, a farm, subject  
 29216 to their tribal regulations, but in no instance to be sold or dis-  
 29217 posed of to persons outside, or not themselves of the Pawnee  
 29218 tribe.

29219 ARTICLE 7. The United States agree to furnish, in addition  
 29220 to the persons heretofore mentioned, six laborers for three years,  
 29221 but it is expressly understood that while these laborers are to  
 29222 be under the control and subject to the orders of the United

29223 States agent, they are employed more to teach the Pawnees how  
 29224 to manage stock and use the implements furnished than as  
 29225 merely laboring for their benefit; and for every laborer thus  
 29226 furnished by the United States, the Pawnees engage to furnish  
 29227 at least three of their tribe to work with them, who shall also  
 29228 be subject to the orders of the agent, and for whom the chiefs  
 29229 shall be responsible.

29230 ARTICLE 8. The Pawnees agree to deliver up to the officers  
 29231 of the United States all offenders against the treaties, laws, or  
 29232 regulations of the United States, whenever they may be found  
 29233 within the limits of their reservation; and they further agree  
 29234 to assist such officers in discovering, pursuing, and capturing  
 29235 any such offender or offenders, anywhere, whenever called on so  
 29236 to do; and they agree, also, that if they violate any of the  
 29237 stipulations contained in this treaty, the President may, at his  
 29238 discretion, withhold a part or the whole of the annuities herein  
 29239 provided for.

29240 ARTICLE 9. The Pawnees desire to have some provision  
 29241 made for the half-breeds of their tribe. Those of them who  
 29242 have preferred to reside and are now residing in the nation, are  
 29243 to be entitled to equal rights and privileges with other members  
 29244 of the tribes, but those who have chosen to follow the pursuits  
 29245 of civilized life, and to reside among the whites, viz: Baptiste  
 29246 Bayhulle, William Bayhulle, Julia Bayhulle, Frank Tatahyee,  
 29247 William Nealis, Julia Nealis, Catharine Papan, Politte Papan,  
 29248 Rousseau Papan, Charles Papan, Peter Papan, Emily Papan,  
 29249 Henry Geta, Stephen Geta, James Cleghorn, Eliza Deroine, are  
 29250 to be entitled to scrip for one hundred and sixty acres, or one  
 29251 quarter section of land for each, provided application shall be  
 29252 made for the same within five years from this time, which scrip  
 29253 shall be receivable at the United States land-offices the same as  
 29254 military bounty-land warrants, and be subject to the same rules  
 29255 and regulations.

29256 ARTICLE 10. Samuel Allis has long been the firm friend of  
 29257 the Pawnees, and in years gone by has ministered to their wants  
 29258 and necessities. When in distress, and in a state of starvation,  
 29259 they took his property and used it for themselves, and when the  
 29260 small-pox was destroying them, he vaccinated more than two  
 29261 thousand of them; for all these things, the Pawnees desire that  
 29262 he shall be paid, but they think the Government should pay a  
 29263 part. It is therefore agreed that the Pawnees will pay to said  
 29264 Allis one thousand dollars, and the United States agree to pay  
 29265 him a similar sum of one thousand dollars, as a full remunera-  
 29266 tion for his services and losses.

29267 ARTICLE 11. Ta-ra-da-ka-wa, head-chief of the Tappahs  
 29268 band, and four other Pawnees, having been out as guides for

29269 the United States troops in their late expedition against the  
 29270 Cheyennes, and having to return by themselves, were overtaken  
 29271 and plundered of everything given them by the officers of the  
 29272 expedition, as well as their own property, barely escaping with  
 29273 their lives; and the value of their services being fully acknowl-  
 29274 edged, the United States agree to pay to each one of them one  
 29275 hundred dollars, or, in lieu thereof, to give to each a horse worth  
 29276 one hundred dollars in value.

29277       ARTICLE 12. To enable the Pawnees to settle any just  
 29278 claims at present existing against them, there is hereby set  
 29279 apart, by the United States, ten thousand dollars, out of which  
 29280 the same may be paid, when presented, and proven to the satis-  
 29281 faction of the proper department; and the Pawnees hereby re-  
 29282 linquish all claims they may have against the United States  
 29283 under former treaty stipulations.

29284       Proclaimed May 26, 1858.

29285                                   PIANKISHAWS.

29286   *A treaty between the United States of America and the Piankeshaw*  
 29287                                   *tribe of Indians.*

29288       The President of the United States, by William Henry Har-  
 29289 rison, governor of the Indiana Territory, superintendent of In-  
 29290 dian affairs, and commissioner plenipotentiary of the United  
 29291 States for concluding any treaty or treaties which may be found  
 29292 necessary with any of the Indian tribes northwest of the river  
 29293 Ohio; and the chiefs and head-men of the Piankeshaw tribe,  
 29294 have agreed to the following articles, which, when ratified by  
 29295 the President of the United States, by and with the advice and  
 29296 consent of the Senate, shall be binding upon the said parties.

29297       ARTICLE 1. The Piankeshaw tribe relinquishes and cedes  
 29298 to the United States forever all that tract of country which lies  
 29299 between the Ohio and Wabash Rivers, and below Clark's grant,  
 29300 and the tract called the Vincennes tract, which was ceded by  
 29301 the treaty of Fort Wayne, and a line connecting the said tract  
 29302 and grant, to be drawn parallel to the general course of the road  
 29303 leading from Vincennes to the Falls of the Ohio, so as not to pass  
 29304 more than half a mile to the northward of the most northerly  
 29305 bend of said road.

29306       ARTICLE 2. The Piankeshaw tribe acknowledges explicitly  
 29307 the right of the Kaskaskia tribe to sell the country which they  
 29308 have lately ceded to the United States, and which is separated  
 29309 from the lands of the Piankeshaws by the ridge or high land  
 29310 which divides the waters of the Wabash from the waters of the

29311 Saline Creek ; and by that which divides the waters of the said  
 29312 Wabash from those which flow into the Au-vase and other  
 29313 branches of the Mississippi.

29314 . ARTICLE 3. An additional annuity of two hundred dollars  
 29315 shall be paid by the United States to the said tribe for ten years,  
 29316 in money, merchandize, provisions, or domestic animals, and  
 29317 implements of husbandry, at the option of the said tribe ; and  
 29318 this annuity, together with goods to the value of seven hundred  
 29319 dollars, which are now delivered to them by the commissioner  
 29320 of the United States, is considered as a full compensation for  
 29321 the above-mentioned relinquishment.

29322 ARTICLE 4. The United States reserve to themselves the  
 29323 right of dividing the whole annuity which they pay to the said  
 29324 tribe amongst the families which compose the same ; allowing  
 29325 always a due proportion for the chiefs. And the said chiefs,  
 29326 whenever the President of the United States may require it,  
 29327 shall, upon proper notice being given, assemble their tribe for  
 29328 the purpose of effecting this arrangement.

29329 Proclaimed February 6, 1805.

29330 *A treaty between the United States of America and the Piankishaw*  
 29331 *tribe of Indians.*

29332 Articles of a treaty made at Vincennes, in the Indian Territory,  
 29333 between William Henry Harrison, governor of the said Ter-  
 29334 ritory, superintendent of Indian affairs and commissioner  
 29335 plenipotentiary of the United States for concluding any  
 29336 treaty or treaties which may be found necessary with any of  
 29337 the Indian tribes northwest of the Ohio, of the one part,  
 29338 and the chiefs and head-men of the Piankishaw tribe of the  
 29339 other part.

29340 ARTICLE 1. The Piankishaw tribe cedes and relinquishes  
 29341 to the United States forever all that tract of country (with the  
 29342 exception of the reservation hereinafter made) which lies be-  
 29343 tween the Wabash and the tract ceded by the Kaskaskia tribe in  
 29344 the year one thousand eight hundred and three, and south of a  
 29345 line to be drawn from the northwest corner of the Vincennes  
 29346 tract, north seventy-eight degrees west, until it intersects the  
 29347 boundary-line which has heretofore separated the lands of the  
 29348 Piankeshaws from the said tract ceded by the Kaskaskia tribe.

29349 ARTICLE 2. The United States take the Piankishaw tribe  
 29350 under their immediate care and patronage, and will extend to  
 29351 them a protection as effectual as that which is enjoyed by the  
 29352 Kaskaskia tribe ; and the said Piankishaw tribe will never com-  
 29353 mit any depredations or make war upon any of the other tribes  
 29354 without the consent of the United States.

29355 ARTICLE 3. The said United States will cause to be deliv-  
 29356 ered to the Piankishaws yearly, and every year, an additional  
 29357 annuity of three hundred dollars, which is to be paid in the same  
 29358 manner and under the same conditions as that to which they are  
 29359 entitled by the treaty of Greenville: *Provided, always, That the*  
 29360 *United States may, at any time they shall think proper, divide*  
 29361 *the said annuity amongst the individuals of the said tribe.*

29362 ARTICLE 4. The stipulations made in the preceding articles,  
 29363 together with the sum of one thousand one hundred dollars,  
 29364 which is now delivered, the receipt whereof the said chiefs do  
 29365 hereby acknowledge, is considered a full compensation for the  
 29366 cession and relinquishments above mentioned.

29367 ARTICLE 5. As long as the lands now ceded remain the  
 29368 property of the United States, the said tribe shall have the priv-  
 29369 ilege of living and hunting upon them in the same manner that  
 29370 they have heretofore done; and they reserve to themselves the  
 29371 right of locating a tract of two square miles, or twelve hundred  
 29372 and eighty acres, the fee of which is to remain with them forever.

29373 ARTICLE 6. This treaty shall be in force as soon as it shall  
 29374 be ratified by the President of the United States, by and with  
 29375 the advice of the Senate.

29376 Proclaimed May 23, 1807.

29377 *A treaty of peace and friendship made and concluded between*  
 29378 *William Clark, Ninian Edwards, and Auguste Chouteau, com-*  
 29379 *missioners plenipotentiary of the United States of America, on*  
 29380 *the part and behalf of the said States, of the one part, and the*  
 29381 *undersigned, chiefs and warriors of the Piankishaw Tribe or*  
 29382 *Nation, on the part and behalf of the said tribe or nation, of*  
 29383 *the other part.*

29384 The parties being anxious of re-establishing peace and  
 29385 friendship between the United States and the said tribe or  
 29386 nation, and of being placed in all things and in every respect  
 29387 on the same footing upon which they stood before the war, have  
 29388 agreed to the following articles:

29389 ARTICLE 1. Every injury or act of hostility by one or either  
 29390 of the contracting parties against the other shall be mutually  
 29391 forgiven and forgot.

29392 ARTICLE 2. There shall be perpetual peace and friendship  
 29393 between all the citizens of the United States of America and all  
 29394 the individuals composing the Piankishaw tribe or nation.

29395 ARTICLE 3. The contracting parties, in the sincerity of mu-  
 29396 tual friendship, recognise, re-establish, and confirm all and every  
 29397 treaty, contract, or agreement heretofore concluded between the  
 29398 United States and the said Piankishaw tribe or nation.

29399 Ratified December 26, 1815.

29400

## PIANKISHAWS AND WEAS.

29401 *Articles of a treaty made and concluded at Castor Hill, in the county*  
 29402 *of Saint Louis, and State of Missouri, between William Clark,*  
 29403 *Frank J. Allen, and Nathan Kouns, commissioners on the part*  
 29404 *of the United States, of the one part, and the undersigned chiefs,*  
 29405 *warriors, and counsellors, of the Piankeshaw and Wea tribes*  
 29406 *of Indians, in behalf of their said tribes, of the other part.*

29407 ARTICLE 1. The undersigned chiefs, warriors, and consid.  
 29408 erate men, for themselves and their said tribes, for and in con-  
 29409 sideration of the stipulations hereinafter made, do hereby cede  
 29410 and relinquish to the United States forever, all their right, title,  
 29411 and interest to and in lands within the States of Missouri and  
 29412 Illinois—hereby confirming all treaties heretofore made between  
 29413 their respective tribes and the United States, and relinquishing  
 29414 to them all claim to every portion of their land which may have  
 29415 been ceded by any portion of their said tribes.

29416 ARTICLE 2. The United States cede to the Piankeshaw and  
 29417 Wea tribes, for their permanent residence, two hundred and fifty  
 29418 sections of land within the limits of the survey of the lands set  
 29419 apart for the Piankeshaws, Weas, and Peorias, bounded east  
 29420 by the western boundary line of the State of Missouri, for fifteen  
 29421 miles; north by the southern boundary of the lands assigned  
 29422 to the Shawanoes; west by lands assigned to the Peorias and  
 29423 Kaskaskias, and south by the southern line of the original tract  
 29424 surveyed for the Piankeshaws, Weas, and Peorias, the tract being  
 29425 intended to include the present villages of the said Piankeshaws  
 29426 and Weas.

29427 ARTICLE 3. As a full equivalent to the said Piankeshaw  
 29428 tribe for their claim for salt annuities, for improvements on the  
 29429 lands they moved from within the State of Missouri, and for  
 29430 horses lost when moving, the United States agree to pay them  
 29431 after the ratification of this treaty, cattle, hogs, and such farm-  
 29432 ing utensils as may be required by said tribe on their land, to  
 29433 the amount of five hundred dollars annually, for five years; the  
 29434 sum of seven hundred and fifty dollars will also be expended in  
 29435 assistance to said tribe in agriculture, and improvements on the  
 29436 land hereby ceded to them, together with the sum of two hun-  
 29437 dred dollars in merchandize and cash paid at the signing of  
 29438 this treaty, the receipt whereof is hereby acknowledged by said  
 29439 tribe.

29440 ARTICLE 4. As a full equivalent to the Wea tribe, for the im-  
 29441 provements made by them on the lands of the United States which  
 29442 they removed from, for horses lost in consequence of such re-  
 29443 moval, and for all other claims which they have preferred, the

29444 United States agree to pay them after the ratification of this  
 29445 treaty, cattle, hogs, and farming utensils on their land to the  
 29446 amount of five hundred dollars, together with two hundred dol-  
 29447 lars this day paid them in cash and merchandize, the receipt of  
 29448 which is hereby acknowledged. The United States will also  
 29449 afford some assistance to that part of the Wea tribe now resid-  
 29450 ing in the State of Indiana, to enable them to join the rest of  
 29451 their tribe on the lands hereby assigned them, and will also  
 29452 furnish said portion of the tribe with provisions for one year  
 29453 after their arrival.

29454 ARTICLE 5. The United States will also support a black-  
 29455 smith's shop for five years at a convenient place between the  
 29456 lands hereby ceded the said Piankeshaws and Weas, and the  
 29457 lands assigned to the Kaskaskias and Peorias; which shop is  
 29458 to be for the benefit of the said tribes of Piankeshaws, Weas,  
 29459 Peorias, and Kaskaskias in common.

29460 ARTICLE 6. This treaty to be obligatory on the contracting  
 29461 parties when ratified by the President and Senate of the United  
 29462 States.

29463 Proclaimed February 23, 1833.

#### 29464 PONCAS.

29465 *Treaty between the United States and the Ponca tribe of Indians,*  
 29466 *concluded at Washington March 12, 1858; ratified by the*  
 29467 *Senate March 8, 1859.*

29468 JAMES BUCHANAN, President of the United States, to all and  
 29469 singular to whom these presents shall come, greeting:

29470 Whereas a treaty was made and concluded at the city of  
 29471 Washington, on the twelfth day of March, one thousand eight  
 29472 hundred and fifty-eight, by Charles E. Mix, commissioner on the  
 29473 part of the United States, and Wa-gah-sah-pi, or Whip; Gish-  
 29474 tah-wah-gu, or Strong Walker; Mitchell P. Cera, or Wash-kom-  
 29475 moni; A-shno-ni-kah-gah-hi, or Lone Chief; Shu-kah-bi, or  
 29476 Heavy Clouds; Tah-tungah-nushi, or Standing Buffalo, on the  
 29477 part of the Ponca tribe of Indians, they being duly authorized  
 29478 and empowered thereto by said tribe; which treaty is in the  
 29479 words and figures following, to wit:

29480 Articles of agreement and convention made and concluded at  
 29481 the city of Washington, on the twelfth day of March, one  
 29482 thousand eight hundred and fifty-eight, by Charles E. Mix,  
 29483 commissioner on the part of the United States, and Wa-  
 29484 gah-sah-pi, or Whip; Gish-tah-wah-gu, or Strong Walker;

29485 Mitchell P. Cera, or Wash-kom-moni; A-shno-ni-kah-gah-hi,  
 29486 or Lone Chief; Shu-kah-bi, or Heavy Clouds; Tah-tungah-  
 29487 nushi, or Standing Buffalo, on the part of the Ponca tribe  
 29488 of Indians; they being thereto duly authorized and empow-  
 29489 ered by said tribe.

29490 ARTICLE 1. The Ponca tribe of Indians hereby cede and  
 29491 relinquish to the United States all the lands now owned or  
 29492 claimed by them, wherever situate, except the tract bounded as  
 29493 follows, viz: Beginning at a point on the Neobrara River and  
 29494 running due north, so as to intersect the Ponca River twenty-five  
 29495 miles from its mouth; thence from said point of intersection, up  
 29496 and along the Ponca River, twenty ——— miles; thence due  
 29497 south to the Neobrara River; and thence down and along said  
 29498 river to the place of beginning; which tract is hereby reserved  
 29499 for the future homes of said Indians; and to which they agree  
 29500 and bind themselves to remove within one year from the date of  
 29501 the ratification of this agreement by the Senate and President  
 29502 of the United States.

29503 ARTICLE 2. In consideration of the foregoing cession and  
 29504 relinquishment, the United States agree and stipulate as fol-  
 29505 lows, viz:

29506 First. To protect the Poncas in the possession of the tract  
 29507 of land reserved for their future homes, and their persons and  
 29508 property thereon, during good behavior on their part.

29509 Second. To pay to them, or expend for their benefit, the sum  
 29510 of twelve thousand dollars (\$12,000) per annum for five years;  
 29511 commencing with the year in which they shall remove to and  
 29512 settle upon the tract reserved for their future homes; ten thou-  
 29513 sand dollars (\$10,000) per annum for ten years, from and after  
 29514 the expiration of the said five years; and thereafter eight thou-  
 29515 sand dollars (\$8,000) per annum for fifteen years; of which sums  
 29516 the President of the United States shall, from time to time, de-  
 29517 termine what proportion shall be paid to the Poncas in cash, and  
 29518 what proportion shall be expended for their benefit; and also  
 29519 in what manner or for what objects such expenditure shall be  
 29520 made. He shall likewise exercise the power to make such pro-  
 29521 vision out of the same as he may deem to be necessary and  
 29522 proper for the support and comfort of the aged and infirm mem-  
 29523 bers of the tribe.

29524 In case of any material decrease of the Poncas in number,  
 29525 the said amounts shall be reduced and diminished in proportion  
 29526 thereto, or they may, at the discretion of the President, be dis-  
 29527 continued altogether should said Indians fail to make satisfac-  
 29528 tory efforts to advance and improve their condition; in which  
 29529 case such other provision shall be made for them as the Presi-  
 29530 dent and Congress may judge to be suitable and proper.

29531 Third. To expend the sum of twenty thousand dollars  
 29532 (\$20,000) in maintaining and subsisting the Poncas during the  
 29533 first year after their removal to their new homes, purchasing  
 29534 stock and agricultural implements, breaking up and fencing  
 29535 land, building houses, and in making such other improvements  
 29536 as may be necessary for their comfort and welfare.

29537 Fourth. To establish and to maintain for ten years, at an  
 29538 annual expense not to exceed five thousand dollars, (\$5,000,)   
 29539 one or more manual-labor schools for the education and training  
 29540 of the Ponca youth in letters, agriculture, the mechanic arts,  
 29541 and housewifery; which school or schools shall be managed and  
 29542 conducted in such manner as the President of the United States  
 29543 shall direct; the Poncas hereby stipulating to constantly keep  
 29544 thereat, during at least nine months in every year, all their chil-  
 29545 dren between the ages of seven and eighteen years; and that,  
 29546 if this be not done, there shall be deducted from the shares of  
 29547 the annuities due to the parents, guardians, or other persons  
 29548 having control of the children, such amounts as may be propor-  
 29549 tioned to the deficiency in their time of attendance, compared  
 29550 with the said nine months, and the cost of maintaining and ed-  
 29551 ucating the children during that period. It is further agreed  
 29552 that such other measures may be adopted to compel the attend-  
 29553 ance of the children at the school or schools as the President  
 29554 may think proper and direct; and whenever he shall be satis-  
 29555 fied of a failure to fulfil the aforesaid stipulation on the part of  
 29556 the Poncas, he may, at his discretion, diminish or wholly dis-  
 29557 continue the allowance and expenditure of the sum herein set  
 29558 apart for the support and maintenance of said school or schools.

29559 Fifth. To provide the Poncas with a mill suitable for grind-  
 29560 ing grain and sawing timber, one or more mechanic shops, with  
 29561 the necessary tools for the same, and dwelling-houses for an in-  
 29562 terpreter, miller, engineer for the mill, if one be necessary,  
 29563 farmer, and the mechanics that may be employed for their  
 29564 benefit, the whole not to exceed in cost the sum of ten thousand  
 29565 five hundred dollars, (\$10,500;) and also to expend annually,  
 29566 for ten years, or during the pleasure of the President, an amount  
 29567 not exceeding seven thousand five hundred dollars, (\$7,500,) for  
 29568 the purpose of furnishing said Indians with such aid and assist-  
 29569 ance in agricultural and mechanical pursuits, including the  
 29570 working of said mill, as the Secretary of the Interior may con-  
 29571 sider advantageous and necessary for them; the Poncas hereby  
 29572 stipulating to furnish from their tribe the number of young men  
 29573 that may be required as apprentices and assistants in the mill  
 29574 and mechanic shops, and at least three persons to work con-  
 29575 stantly with each laborer employed for them in agricultural pur-  
 29576 suits, it being understood that such laborers are to be employed

29577 more for the instruction of the Indians than merely to work  
 29578 for their benefit. The persons so to be furnished by the tribe  
 29579 shall be allowed a fair and just compensation for their services,  
 29580 to be fixed by the Secretary of the Interior.

29581 The Poncas further stipulate and bind themselves to pre-  
 29582 vent any of the members of their tribe from destroying or in-  
 29583 juring the said houses, shops, mill, machinery, stock, farming  
 29584 utensils, or any other thing furnished them by the Government ;  
 29585 and in case of any such destruction or injury, or of any of the  
 29586 things so furnished being carried off by any member or mem-  
 29587 bers of their tribe, the value of the same shall be deducted from  
 29588 the tribal annuities. And whenever the President shall be  
 29589 satisfied that the Poncas have become sufficiently confirmed in  
 29590 habits of industry, and advanced in acquiring a practical knowl-  
 29591 edge of agriculture and the mechanic arts, he may, at his dis-  
 29592 cretion, cause to be turned over to the tribe all of the said houses  
 29593 and other property furnished them by the United States, and  
 29594 dispense with the services of any or all of the persons herein-  
 29595 before stipulated to be employed for their benefit and assist-  
 29596 ance.

29597 Sixth. To provide and set apart the sum of twenty thou-  
 29598 sand dollars (\$20,000) to enable the Poncas to adjust and settle  
 29599 their existing obligations and engagements, including depreda-  
 29600 tions committed by them on property of citizens of the United  
 29601 States prior to the date of the ratification of this agreement, so  
 29602 far as the same may be found and decided by their agent to be  
 29603 valid and just, subject to the approval of the Secretary of the  
 29604 Interior; and in consideration of the long-continued friendship  
 29605 and kindness of Joseph Hollman and William G. Crawford  
 29606 toward the Poncas, of their furnishing them when in distress  
 29607 with large quantities of goods and provisions, and of their good  
 29608 counsel and advice, in consequence of which peace has often  
 29609 been preserved between the Poncas and other Indians and the  
 29610 whites, it is agreed that out of the above-mentioned amount  
 29611 they shall be paid the sum of three thousand five hundred dol-  
 29612 lars, (\$3,500,) and the sum of one thousand dollars (\$1,000) shall  
 29613 in like manner be paid to Jesse Williams, of Iowa, in full for  
 29614 his claim, as such has been admitted by the Poncas for depre-  
 29615 dations committed by them on his property.

29616 ARTICLE 3. The Poncas being desirous of making provision  
 29617 for their half-breed relatives, it is agreed that those who prefer  
 29618 and elect to reside among them shall be permitted to do so, and  
 29619 be entitled to and enjoy all the rights and privileges of mem-  
 29620 bers of the tribe; but to those who have chosen and left the  
 29621 tribe to reside among the whites and follow the pursuits of civil-  
 29622 ized life, viz: Charles Leclair, Fort Piere, N. T.; Cillaste Lec-

29623 laire, Pottowattomie, K. T.; Ciprian Leclaire, St. Louis, Mis-  
 29624 souri; Julia Harvey, Omaha, N. T.; Jenny Ruleau, Sioux City,  
 29625 Iowa; David Leclaire, Amelia Deloge, and Laura Deloge, at  
 29626 the Omaha mission, there shall be issued scrip for one hundred  
 29627 and sixty acres of land each, which shall be receivable at the  
 29628 United States land-offices in the same manner, and be subject to  
 29629 the same rules and regulations as military bounty-land warrants.  
 29630 And in consideration of the faithful services rendered to the  
 29631 Poncas by Francis Roy, their interpreter, it is agreed that scrip  
 29632 shall, in the like manner and amount, be issued to his wife and to  
 29633 each of his six children now living, without their being required  
 29634 to leave the nation: *Provided*, That application for the said  
 29635 scrip shall be made to the Commissioner of Indian Affairs within  
 29636 five years from and after the date of the ratification of this  
 29637 agreement.

29638 ARTICLE 4. The United States shall have the right to es-  
 29639 tablish and maintain such military posts, roads, and Indian  
 29640 agencies as may be deemed necessary within the tract of country  
 29641 hereby reserved for the Poncas, but no greater quantity of land  
 29642 or timber shall be used for said purposes than shall be actually  
 29643 requisite; and if, in the establishment or maintenance of such  
 29644 posts, roads, and agencies, the property of any Ponca shall be  
 29645 taken, injured, or destroyed, just and adequate compensation  
 29646 shall be made therefor by the United States. And all roads or  
 29647 highways authorized by competent authority, other than the  
 29648 United States, the lines of which shall lie through said tract,  
 29649 shall have the right of way through the same; the fair and just  
 29650 value of such right being paid to the Poncas therefor by the party  
 29651 or parties authorizing the same or interested therein; to be as-  
 29652 sessed and determined in such manner as the President of the  
 29653 United States shall direct.

29654 ARTICLE 5. No white person, unless in the employment of  
 29655 the United States, or duly licensed to trade with the Poncas, or  
 29656 members of the family of such persons, shall be permitted to  
 29657 reside, or to make any settlement, upon any part of the tract  
 29658 herein reserved for said Indians, nor shall the latter alienate,  
 29659 sell, or in manner dispose of any portion thereof, except to the  
 29660 United States; but, whenever they may think proper, they may  
 29661 divide said tract among themselves, giving to each head of a  
 29662 family or single person a farm, with such rights of possession,  
 29663 transfer to any other member of the tribe, or of descent to their  
 29664 heirs and representatives, as may be in accordance with the laws,  
 29665 customs, and regulations of the tribe.

29666 ARTICLE 6. Such persons as are now lawfully residing on  
 29667 the lands herein ceded by the Poncas shall each have the privi-  
 29668 lege of entering one hundred and sixty acres thereof, to include

29669 any improvements they may have, at one dollar and twenty-five  
29670 cents per acre.

29671       ARTICLE 7. The Poncas acknowledge their dependence upon  
29672 the Government of the United States, and do hereby pledge and  
29673 bind themselves to preserve friendly relations with the citizens  
29674 thereof, and to commit no injuries or depredations on their per-  
29675 sons or property, nor on those of members of any other tribe;  
29676 but, in case of any such injury or depredation, full compensation  
29677 shall, as far as practicable, be made therefor out of their tribal  
29678 annuities; the amount in all cases to be determined by the Sec-  
29679 retary of the Interior. They further pledge themselves not to  
29680 engage in hostilities with any other tribe, unless in self-defence,  
29681 but to submit, through their agent, all matters of dispute and  
29682 difficulty between themselves and other Indians for the decision  
29683 of the President of the United States, and to acquiesce in and  
29684 abide thereby. They also agree, whenever called upon by the  
29685 proper officer, to deliver up all offenders against the treaties,  
29686 laws, or regulations of the United States, who may be within  
29687 the limits of their reservation, and to assist in discovering, pur-  
29688 suing, and capturing all such offenders, whenever required to do  
29689 so by such officer.

29690       ARTICLE 8. To aid in preventing the evils of intemperance,  
29691 it is hereby stipulated that if any of the Poncas shall drink, or  
29692 procure for others, intoxicating liquor, their proportion of the  
29693 tribal annuities shall be withheld from them for at least one  
29694 year; and for a violation of any of the stipulations of this agree-  
29695 ment on the part of the Poncas, they shall be liable to have their  
29696 annuities withheld, in whole or in part, and for such length of  
29697 time as the President of the United States shall direct.

29698       ARTICLE 9. No part of the annuities of the Poncas shall be  
29699 taken to pay any claims or demands against them, except such  
29700 as may arise under this agreement, or under the trade and inter-  
29701 course laws of the United States; and the said Indians do  
29702 hereby fully relinquish and release the United States from all  
29703 demands against them on the part of the tribe or any individuals  
29704 thereof, except such as are herein stipulated and provided for.

29705       ARTICLE 10. The expenses connected with the negotiation  
29706 of this agreement shall be paid by the United States.

29707       Proclaimed April 11, 1859.

29708       *Supplemental treaty between the United States of America and the*  
29709       *Ponca tribe of Indians, concluded March 10, 1865; ratifica-*  
29710       *tion advised March 2, 1867.*

29711       ANDREW JOHNSON, President of the United States of America,  
29712       to all and singular to whom these presents shall come, greet-  
29713       ing:

29714       Whereas a supplemental treaty was made and concluded at

29715 the city of Washington, in the District of Columbia, on the tenth  
 29716 day of March, in the year of our Lord one thousand eight hun-  
 29717 dred and sixty-five, by and between William P. Dole, commis-  
 29718 sioner on the part of the United States, and Wah-gah-sap-pi, or  
 29719 Iron Whip; Gist tah-wah-gu, or Strong Walker; Wash-com-mo-  
 29720 ni, or Mitchell P. Cerre; Ash-nan e-kah-gah-he, or Lone Chief;  
 29721 and Tah-ton-ga-nuz-zhe, or Standing Buffalo, chiefs and head-men  
 29722 of the Ponca tribe of Indians, on the part of said Indians, and  
 29723 duly authorized thereto by them, which treaty is in the words  
 29724 and figures following, to wit:

29725 Supplemental treaty between the United States of America and  
 29726 the Ponca tribe of Indians, made at the city of Washington  
 29727 on the tenth day of March, A. D. 1865, between William P.  
 29728 Dole, commissioner on the part of the United States, and  
 29729 Wah-gah-sap-pi, or Iron Whip; Gist-tah-wah-gu, or Strong  
 29730 Walker; Wash-com-mo-ni, or Mitchell P. Cerre; Ash-nan-e-  
 29731 kah-gah-he, or Lone Chief; Tah-ton-ga-nuz-zhe, or Standing  
 29732 Buffalo, on the part of the Ponca tribe of Indians, they  
 29733 being duly authorized and empowered by the said tribe, as  
 29734 follows, viz:

29735 ARTICLE 1. The Ponca tribe of Indians hereby cede and  
 29736 relinquish to the United States all that portion of their present  
 29737 reservation as described in the first article of the treaty of  
 29738 March 12th, 1858, (proclaimed April 11, 1859; see preceding  
 29739 treaty,) lying west of the range line between townships num-  
 29740 bers (32) thirty-two and (33) thirty-three north, ranges (10) ten  
 29741 and (11) eleven west of the (6) sixth principal meridian, accord-  
 29742 ing to the Kansas and Nebraska survey, estimated to contain  
 29743 thirty thousand acres, be the same more or less.

29744 ARTICLE 2. In consideration of the cession or release of  
 29745 that portion of the reservation above described by the Ponca  
 29746 tribe of Indians to the Government of the United States, the  
 29747 Government of the United States, by way of rewarding them for  
 29748 their constant fidelity to the Government and citizens thereof,  
 29749 and with a view of returning to the said tribe of Ponca Indians  
 29750 their old burying-grounds and corn-fields, hereby cede and re-  
 29751 linquish to the tribe of Ponca Indians the following-described  
 29752 fractional townships, to wit: township (31) thirty-one north,  
 29753 range (7) seven west; also, fractional township (32) thirty-two  
 29754 north, ranges (6,) six, (7,) seven, (8,) eight, (9,) nine, and (10)  
 29755 ten west; also, fractional township (33) thirty-three north,  
 29756 ranges (7) seven and (8) eight west; and also all that portion of  
 29757 township (33) thirty-three north, ranges (9) nine and (10) ten  
 29758 west, lying south of Ponca Creek; and also all the islands in the  
 29759 Niobrara, or Running Water River, lying in front of lands or  
 29760 townships above ceded by the United States to the Ponca tribe

29761 of Indians. But it is expressly understood and agreed that the  
 29762 United States shall not be called upon to satisfy or pay the  
 29763 claims of any settlers for improvements upon the lands above  
 29764 ceded by the United States to the Poncas, but that the Ponca  
 29765 tribe of Indians shall, out of their own funds, and at their own  
 29766 expense, satisfy said claimants, should any be found upon said  
 29767 lands above ceded by the United States to the Ponca tribe of  
 29768 Indians.

29769 ARTICLE 3. The Government of the United States, in com-  
 29770 pliance with the first paragraph of the second article of the  
 29771 treaty of March 12th, 1858, hereby stipulate and agree to pay to  
 29772 the Ponca tribe of Indians for indemnity for spoliation commit-  
 29773 ted upon them, satisfactory evidence of which has been lodged  
 29774 in the office of the Commissioner of Indian Affairs, and payment  
 29775 recommended by that officer, and also by the Secretary of the  
 29776 Interior, the sum of fifteen thousand and eighty dollars.

29777 ARTICLE 4. The expenses attending the negotiation of this  
 29778 treaty or agreement shall be paid by the United States.

29779 Proclaimed March 28, 1867.

29780

## PONCARS.

29781

### *Treaty with the Poncar tribe.*

29782 For the purposes of perpetuating the friendship which has  
 29783 heretofore existed, as also to remove all future cause of discus-  
 29784 sion or dissension as it respects trade and friendship between the  
 29785 United States and their citizens and the Poncar tribe of Indians,  
 29786 the President of the United States of America, by Brigadier-Gen-  
 29787 eral Henry Atkinson, of the United States Army, and Major  
 29788 Benjamin O'Fallon, Indian agent, with full powers and author-  
 29789 ity, specially appointed and commissioned for that purpose, of  
 29790 the one part, and the undersigned chiefs, head-men, and warriors  
 29791 of the Poncar tribe of Indians, on behalf of said tribe, of the  
 29792 other part, have made and entered into the following articles  
 29793 and conditions, which, when ratified by the President of the  
 29794 United States, by and with the advice and consent of the Sen-  
 29795 ate, shall be binding on both parties, to wit:

29796 ARTICLE 1. It is admitted by the Poncar tribe of Indians  
 29797 that they reside within the territorial limits of the United  
 29798 States, acknowledge their supremacy, and claim their protec-  
 29799 tion. The said tribe also admit the right of the United States  
 29800 to regulate all trade and intercourse with them.

29801 ARTICLE 2. The United States agree to receive the Poncar

29802 tribe of Indians into their friendship and under their protection,  
 29803 and to extend to them, from time to time, such benefits and acts  
 29804 of kindness as may be convenient and seem just and proper to  
 29805 the President of the United States.

29806 ARTICLE 3. All trade and intercourse with the Poncar tribe  
 29807 shall be transacted at such place or places as may be designated  
 29808 and pointed out by the President of the United States, through  
 29809 his agents; and none but American citizens, duly authorized by  
 29810 the United States, shall be admitted to trade or hold intercourse  
 29811 with said tribe of Indians.

29812 ARTICLE 4. That the Poncar tribe may be accommodated  
 29813 with such articles of merchandize, &c., as their necessaries may  
 29814 demand, the United States agree to admit and license traders to  
 29815 hold intercourse with said tribe, under mild and equitable regu-  
 29816 lations, in consideration of which the Poncar tribe bind them-  
 29817 selves to extend protection to the persons and the property of  
 29818 the traders, and the persons legally employed under them, whilst  
 29819 they remain within the limits of the Poncar district of country.  
 29820 And the said Poncar tribe further agree that if any foreigner,  
 29821 or other person not legally authorized by the United States,  
 29822 shall come into their district of country for the purposes of  
 29823 trade or other views, they will apprehend such person or per-  
 29824 sons and deliver him or them to some United States superin-  
 29825 tendent, or agent of Indian affairs, or to the commandant of the  
 29826 nearest military post, to be dealt with according to law. And  
 29827 they further agree to give safe conduct to all persons who may  
 29828 be legally authorized by the United States to pass through their  
 29829 country, and to protect, in their persons and property, all agents  
 29830 or other persons sent by the United States to reside temporarily  
 29831 among them.

29832 ARTICLE 5. That the friendship which is now established be-  
 29833 tween the United States and the Poncar tribe should not be inter-  
 29834 rupted by the misconduct of individuals, it is hereby agreed that,  
 29835 for injuries done by individuals, no private revenge or retaliation  
 29836 shall take place, but instead thereof complaints shall be made  
 29837 by the party injured to the superintendent or agent of Indian  
 29838 affairs, or other person appointed by the President; and it shall  
 29839 be the duty of the said chiefs, upon complaint being made as  
 29840 aforesaid, to deliver up the person or persons against whom the  
 29841 complaint is made, to the end that he or they may be punished,  
 29842 agreeably to the laws of the United States. And, in like man-  
 29843 ner, if any robbery, violence, or murder shall be committed on  
 29844 any Indian or Indians belonging to said tribe, the person or  
 29845 persons so offending shall be tried, and, if found guilty, shall be  
 29846 punished in like manner as if the injury had been done to a white  
 29847 man. And it is agreed that the chiefs of said Poncar tribe

29848 shall, to the utmost of their power, exert themselves to recover  
 29849 horses or other property which may be stolen or taken from any  
 29850 citizen or citizens of the United States by any individual or in-  
 29851 dividuals of said tribe, and the property so recovered shall be  
 29852 forthwith delivered to the agents or other person authorized to  
 29853 receive it, that it may be restored to the proper owner. And the  
 29854 United States hereby guaranty to any Indian or Indians of said  
 29855 tribe a full indemnification for any horses or other property  
 29856 which may be stolen from them by any of their citizens: *Pro-*  
 29857 *vided*, That the property so stolen cannot be recovered, and  
 29858 that sufficient proof is produced that it was actually stolen by a  
 29859 citizen of the United States. And the said Poncar tribe engage,  
 29860 on the requisition or demand of the President of the United  
 29861 States, or of the agents, to deliver up any white man resident  
 29862 among them.

29863       ARTICLE 6. And the chiefs and warriors, as aforesaid, prom-  
 29864 ise and engage that their tribe will never, by sale, exchange, or  
 29865 as presents, supply any nation or tribe of Indians not in amity  
 29866 with the United States with guns, ammunition, or other imple-  
 29867 ments of war.

29868       Proclaimed February 6, 1826.

29869

#### PONCARARS.

29870 *A treaty of peace and friendship made and concluded between Wil-*  
 29871 *liam Clark and Auguste Chouteau, commissioners on the part*  
 29872 *and behalf of the United States of America, of the one part,*  
 29873 *and the undersigned chiefs and warriors of the Poncarar tribe*  
 29874 *of Indians, on their part and of their said tribe of the other*  
 29875 *part.*

29876       The parties being desirous of re-establishing peace and  
 29877 friendship between the United States and their said tribe, and  
 29878 of being placed, in all things and every respect, upon the same  
 29879 footing upon which they stood before the late war between the  
 29880 United States and Great Britain, have agreed to the following  
 29881 articles :

29882       ARTICLE 1. Every injury or act of hostility by one or either  
 29883 of the contracting parties against the other shall be mutually  
 29884 forgiven and forgot.

29885       ARTICLE 2. There shall be perpetual peace and friendship  
 29886 between all of the citizens of the United States of America and  
 29887 all the individuals composing the said Poncarar tribe; and all

29888 the friendly relations that existed between them before the war  
29889 shall be, and the same are hereby, renewed.

29890 ARTICLE 3. The undersigned chiefs and warriors, for them-  
29891 selves and their said tribe, do hereby acknowledge themselves  
29892 to be under the protection of the United States of America,  
29893 and of no other nation, power, or sovereign, whatever.

29894 Proclaimed December 26, 1817.

29895

# POTTAWOTTOMIES.

29896 *Articles of a treaty made and concluded at St. Mary's, in the State*  
29897 *of Ohio, between Jonathan Jennings, Lewis Cass, and Benja-*  
29898 *min Parke, commissioners of the United States, and the Pot-*  
29899 *awatamie Nation of Indians.*

29900 ARTICLE 1. The Potawatamie Nation of Indians cede to  
29901 the United States all the country comprehended within the fol-  
29902 lowing limits: Beginning at the mouth of the Tippecanoe River  
29903 and running up the same to a point twenty-five miles in a direct  
29904 line from the Wabash River; thence on a line as nearly paral-  
29905 lel to the general course of the Wabash River as practicable, to  
29906 a point on the Vermilion River twenty-five miles from the Wa-  
29907 bash River; thence down the Vermilion River to its mouth, and  
29908 thence up the Wabash River to the place of beginning. The  
29909 Potawatamies also cede to the United States all their claim to  
29910 the country south of the Wabash River.

29911 ARTICLE 2. The United States agree to purchase any just  
29912 claim which the Kickapoos may have to any part of the country  
29913 hereby ceded below Pine Creek. (See the 2d article of the  
29914 treaty with the Kickapoos, proclaimed January 13, 1831, p. 439.)

29915 ARTICLE 3. The United States agree to pay to the Pota-  
29916 watamies a perpetual annuity of two thousand five hundred dol-  
29917 lars in silver; one-half of which shall be paid at Detroit, and  
29918 the other half at Chicago; and all annuities which, by any for-  
29919 mer treaty, the United States have engaged to pay to the Pota-  
29920 watamies, shall be hereafter paid in silver.

29921 ARTICLE 4. The United States agree to grant to the persons  
29922 named in the annexed schedule and their heirs the quantity of  
29923 land therein stipulated to be granted; but the land so granted  
29924 shall never be conveyed by either of the said persons, or their  
29925 heirs, unless by the consent of the President of the United  
29926 States.

29927 Proclaimed January 15, 1819.

29928

*Schedule referred to in the foregoing treaty.*

29929

29930 There shall be granted to James Burnett, Isaac Burnett, Jacob  
 29931 Burnett, and Abraham Burnett two sections of land each, and  
 29932 to Rebecca Burnett and Nancy Burnett one section of land  
 29933 each; which said James, John, Isaac, Jacob, Abraham, Re-  
 29934 becca, and Nancy are children of Cakimi, a Potawatamie woman,  
 29935 sister of Topinibe, principal chief of the nation; and six of the  
 29936 sections herein granted shall be located from the mouth of the  
 29937 Tippecanoe River, down the Wabash River, and the other six  
 29938 [five] sections shall be located at the mouth of Flint River.

29938

29939 There shall be granted to Perig, a Potawatamie chief, one  
 29940 section of land on the Flint River, where he now lives. There  
 29941 shall also be granted to Mary Chatalie, daughter of Neebosh, a  
 29942 Potawatamie chief, one section of land, to be located below the  
 29943 mouth of Pine River.

29943

29944 *Articles of a treaty made and concluded near the mouth of the Mis-*  
 29945 *sisineewa, upon the Wabash, in the State of Indiana, this sixteenth*  
 29946 *day of October, in the year of our Lord one thousand eight hun-*  
 29947 *dred and twenty-six, between Lewis Cass, James B. Ray, and*  
 29948 *John Tipton, commissioners on the part of the United States, and*  
 29949 *the chiefs and warriors of the Potawatamie tribe of Indians.*

29949

29950 ARTICLE 1. The Potawatamie tribe of Indians cede to the  
 29951 United States their right to all the land within the following  
 29952 limits: Beginning on the Tippecanoe River where the northern  
 29953 boundary of the tract ceded by the Potawatamies to the United  
 29954 States, by the treaty of St. Mary's, in the year of our Lord one  
 29955 thousand eight hundred and eighteen, intersects the same;  
 29956 thence in a direct line to a point on Eel River half way be-  
 29957 tween the mouth of said river and Pierish's Village; thence  
 29958 up Eel River to Seek's Village, near the head thereof; thence  
 29959 in a direct line to the mouth of a creek emptying into the St.  
 29960 Joseph's of the Miami, near Metea's Village; thence up the St.  
 29961 Joseph's to the boundary-line between the States of Indiana and  
 29962 Ohio; thence south to the Miami; thence up the same to the  
 29963 reservation at Fort Wayne; thence with the lines of the said  
 29964 reservation to the boundary established by the treaty with the  
 29965 Miamies in one thousand eight hundred and eighteen; thence  
 29966 with the said line to the Wabash River; thence with the same  
 29967 river to the mouth of the Tippecanoe River, and thence with  
 29968 the said Tippecanoe River to the place of beginning. And the  
 29969 said tribe also cede to the United States all their right to land  
 29970 within the following limits: Beginning at a point upon Lake  
 Michigan ten miles due north of the southern extreme thereof;

29971 running thence due east to the land ceded by the Indians to  
 29972 the United States by the treaty of Chicago; thence south with  
 29973 the boundary thereof ten miles; thence west to the southern  
 29974 extreme of Lake Michigan; thence with the shore thereof to  
 29975 the place of beginning.

29976 ARTICLE 2. As an evidence of the attachment which the  
 29977 Potawatamie tribe feel towards the American people, and par-  
 29978 ticularly to the soil of Indiana, and with a view to demonstrate  
 29979 their liberality, and benefit themselves by creating facilities for  
 29980 travelling and increasing the value of their remaining country,  
 29981 the said tribe do hereby cede to the United States a strip of  
 29982 land, commencing at Lake Michigan and running thence to the  
 29983 Wabash River, one hundred feet wide, for a road, and also, one  
 29984 section of good land contiguous to the said road for each mile  
 29985 of the same, and also for each mile of a road from the termina-  
 29986 tion thereof through Indianapolis to the Ohio River, for the  
 29987 purpose of making a road aforesaid from Lake Michigan, by the  
 29988 way of Indianapolis, to some convenient point on the Ohio River.  
 29989 *And the general assembly of the State of Indiana shall have a right*  
 29990 *to locate the said road and to apply the said sections, or the proceeds*  
 29991 *thereof, to the making of the same, or any part thereof; and the said*  
 29992 *grant shall be at their sole disposal.*(a)

29993 ARTICLE 3. In consideration of the cession in the first arti-  
 29994 cle, the United States agree to pay to the Potawattamie tribe  
 29995 an annuity of two thousand dollars in silver, for the term of  
 29996 twenty-two years, and also to provide and support a blacksmith  
 29997 for them at some convenient point; to appropriate, for the pur-  
 29998 poses of education, the annual sum of two thousand dollars, as  
 29999 long as the Congress of the United States may think proper, to  
 30000 be expended as the president may direct; and also, to build for  
 30001 them a mill, sufficient to grind corn, on the Tippecanoe River,  
 30002 and to provide and support a miller, and to pay them annually  
 30003 one hundred and sixty bushels of salt; all of which annuities  
 30004 herein specified shall be paid by the Indian agent at Fort  
 30005 Wayne.

30006 ARTICLE 4. The commissioners of the United States have  
 30007 caused to be delivered to the Potawatamie tribe goods to the  
 30008 value of thirty thousand five hundred and forty-seven dollars  
 30009 and seventy-one cents in goods, in consideration of the cession  
 30010 in the first article of this treaty. Now, therefore, it is agreed  
 30011 that, if this treaty should be ratified by the President and Sen-  
 30012 ate of the United States, the United States shall pay to the  
 30013 persons named in the schedule this day transmitted to the War  
 30014 Department, and signed by the commissioners, the sums affixed  
 30015 to their names, respectively, for goods furnished by them, and  
 30016 amounting to the said sum of thirty thousand five hundred and

30017 forty-seven dollars and seventy-one cents; and also, to the per-  
 30018 sons who may furnish the said further sum, the amount of nine  
 30019 hundred dollars thus furnished. And it is also agreed that  
 30020 payment for all these goods shall be made by the Potawatamie  
 30021 tribe out of their annuity, if this treaty should not be ratified  
 30022 by the United States.

30023 ARTICLE 5. The Potawatamie tribe being anxious to pay  
 30024 certain claims existing against them, it is agreed as a part of  
 30025 the consideration for the cessions in the first article that these  
 30026 claims, which are stated in a schedule this day signed by the  
 80027 commissioners, and transmitted to the War Department, and  
 30028 amounting to the sum of nine thousand five hundred and seventy-  
 30029 three dollars.

30030 ARTICLE 6. The United States agree to grant to each of the  
 30031 persons named in the schedule hereunto annexed the quantity of  
 30032 land therein stipulated to be granted; but the land so granted  
 30033 shall never be conveyed by either of the said persons or their heirs  
 30034 without the consent of the President of the United States; and  
 30035 it is also understood that any of these grants may be expunged  
 30036 from the schedule by the President or Senate of the United  
 30037 States without affecting any other part of the treaty.

30038 ARTICLE 7. The Potawatamie Indians shall enjoy the right  
 30039 of hunting upon any part of the land hereby ceded as long as  
 30040 the same shall remain the property of the United States.

30041 ARTICLE 8. The President and Senate of the United States  
 30042 may reject any article of this treaty, except those which relate  
 30043 to the consideration to be paid for the cession of the land; and  
 30044 such rejection shall not affect any other part of the treaty.

30045 ARTICLE 9. This treaty, after the same shall be ratified by  
 30046 the President and Senate, shall be binding upon the United  
 30047 States.

30048 Proclaimed February 7, 1827.

30049 *Schedule of grants referred to in the foregoing treaty.*

30050 To Abraham Burnett, three sections of land, one to be  
 30051 located at, and to include Wynemac's Village, the centre of the  
 30052 line on the Wabash to be opposite that village, and running up  
 30053 and down the river one mile in a direct line and back for quan-  
 30054 tity, the two other sections commencing at the upper end of  
 30055 the prairie, opposite the mouth of the Passeanong Creek, and  
 30056 running down two miles in a direct line and back for quantity.

30057 To Nancy Burnett, Rebecca Burnett, James Burnett, and  
 30058 William Burnett, each one section of land, to be located under  
 30059 the direction of the President of the United States, which said  
 30060 Abraham, Nancy, Rebecca, and James are the children, and the  
 30061 said William is the grand-child of Kaukeama, the sister of

30062 Topenibe, the principal chief of the Potawatamie tribe of In-  
30063 dians.

30064 To Eliza C. Kercheval, one section on the Miami River,  
30065 commencing at the first place where the road from Fort Wayne  
30066 to Defiance strikes the Miami on the north side thereof, about  
30067 five miles below Fort Wayne, and from that point running half  
30068 a mile down the river and half a mile up the river, and back  
30069 for quantity.

30070 To James Knaggs, son of the sister of Okeos, chief of the  
30071 river Huron Potawatamies, one half-section of land upon the  
30072 Miami where the boundary line between Indiana and Ohio  
30073 crosses the same.

30074 To the children of Joseph Barron, a relation of Richard-  
30075 ville, principal chief of the Miamies, three sections of land, begin-  
30076 ning at the mouth of Eel River, running three miles down the  
30077 Wabash in a direct line, thence back for quantity.

30078 To Zachariah Cicott, who is married to an Indian woman,  
30079 one section of land below and adjoining Abraham Burnett's  
30080 land, and to be located in the same way.

30081 To Baptiste Cicott, Sophi Cicott, and Emelia Cicott, children  
30082 of Zachariah Cicott, and an Indian woman, one half-section each  
30083 adjoining and below the section granted to Zachariah Cicott.

30084 To St. Luke Bertrand and Julia Ann Bertrand, children of  
30085 Madeline Bertrand, a Potawatamie woman, one section of land,  
30086 to be located under the direction of the President of the United  
30087 States.

30088 To the children of Stephen Johnson, killed by the Potawa-  
30089 tamie Indians, one half-section of land, to be located under the  
30090 direction of the President of the United States.

30091 To each of the following persons, Indians by birth, and who  
30092 are now, or have been, scholars in the Carey Mission-School, on  
30093 the St. Joseph's, under the direction of the Rev. Isaac McCoy,  
30094 one quarter-section of land, to be located under the direction of  
30095 the President of the United States, that is to say: Joseph  
30096 Bourissa, Noaquett, John Jones, Nuko, Soswa, Manotuk, Betsey  
30097 Ash, Charles Dick, Susanna Isaacs, Harriet Isaacs, Betsey Plum-  
30098 mer, Angelina Isaacs, Jemima Isaacs, Jacob Corbly, Konkapot,  
30099 Celicia Nimham, Mark Bourissa, Jude Bourissa, Annowussau,  
30100 Topenibe, Terrez, Sheskho, Louis Wilmett, Mitchel Wilmett,  
30101 Lezett Wilmett, Esther Baily, Resiann Baily, Eleanor Baily, Queh-  
30102 kna, William Turner, Chaukenozwoh, Lazarus Bourissa, Achan  
30103 Bourissa, Achemukquee, Wesauwan, Peter Moose, Ann Sharp,  
30104 Joseph Wolf, Misnoqua, Pomoqua, Wymego, Cheekch, Wauwos-  
30105 semoqua, Meeksuman, Kakautmo, Richard Clements, Louis  
30106 M'Neff, Shoshqua, Nscotenama, Chikawketeh, Musheewoh,  
30107 Sangana, Msonkqua, Mnitouqua, Okutcheek, Naomi G. Browning,  
30108 Antoine, St. Antoine, Mary, being in all fifty-eight.

30109 To Jane Martin and Betsey Martin, of Indian descent, each  
 30110 one section of land, to be located under the direction of the Pres-  
 30111 ident of the United States.

30112 To Mary St. Combe, of Indian descent, one quarter section of  
 30113 land, to be located under the direction of the President of the  
 30114 United States.

30115 To Francois Dequindre, of Indian descent, one section of land,  
 30116 to be located under the direction of the President of the United  
 30117 States.

30118 To Baptiste Jutrace, of Indian descent, one half-section of  
 30119 land, to be located under the direction of the President of the  
 30120 United States.

30121 To John B. Bourie, of Indian descent, one section of land, to  
 30122 be located on the Miami River, adjoining the old boundary-line  
 30123 below Fort Wayne.

30124 To Joseph Parks, an Indian, one section of land, to be located  
 30125 at the point where the boundary-line strikes the St. Joseph's,  
 30126 near Metea's Village.

30127 To George Cicott, a chief of the Potawatamies, three sections  
 30128 and a half of land, two sections and a half of which to be located  
 30129 on the Wabash, above the mouth of Crooked Creek, running  
 30130 two miles and a half up the river, and back for quantity, and the  
 30131 remaining section at the falls of Eel River, on both sides thereof.

30132 To James Conner, one section of land; to Henry Conner, one  
 30133 section, and to William Conner, one section, beginning opposite  
 30134 the upper end of the Big Island, and running three miles in a  
 30135 direct line down the Wabash, and back for quantity.

30136 To Hyacinth Lassel, two sections of land, to be located under  
 30137 the direction of the President of the United States.

30138 To Louison, a half Potawatamie, two sections of land, to be  
 30139 located under the direction of the President of the United States.

30140 *Treaty with Potawatamies, made September 19, 1827.*

30141 In order to consolidate some of the dispersed bands of the  
 30142 Potawatamie tribe in the Territory of Michigan at a point re-  
 30143 moved from the road leading from Detroit to Chicago, and as  
 30144 far as practicable from the settlements of the whites, it is agreed  
 30145 that the following tracts of land, heretofore reserved for the use  
 30146 of the said tribe, shall be, and they are hereby, ceded to the  
 30147 United States:

30148 Two sections of land on the river Rouge, at Seginsairn's  
 30149 Village.

30150 Two sections of land at Tonguish Village, near the river  
 30151 Rouge.

30152 That part of the reservation at Macon, on the river Raisin,  
 30153 which yet belongs to the said tribe, containing six sections, ex-

30154 cepting therefrom one-half of a section where the Potawatamie  
30155 chief Moran resides, which shall be reserved for his use.

30156 One tract at Mang-ach-qua Village, on the river Peble, of six  
30157 miles square.

30158 One tract at Mickesawbe, of six miles square.

30159 One tract at the village of Prairie Ronde, of three miles  
30160 square.

30161 One tract at the village of Match-e-be-nash-she-wish, at the  
30162 head of the Kekalamazoo River, of three miles square, which  
30163 tracts contain in the whole ninety-nine sections and one half  
30164 section of land.

30165 And in consideration of the preceding cession, there shall be  
30166 reserved for the use of the said tribe, to be held upon the same  
30167 terms on which Indian reservations are usually held, the follow-  
30168 ing tracts of land:

30169 Sections numbered five, six, seven, and eight, in the fifth  
30170 township, south of the base-line, and in the ninth range west of  
30171 the principal meridian in the Territory of Michigan.

30172 The whole of the fifth township south, in the tenth range  
30173 west, not already included in the Nottawa Sape reservation.

30174 Sections numbered one, two, eleven, twelve, thirteen, four-  
30175 teen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-  
30176 five, and thirty-six, in the fifth township south, and eleventh  
30177 range west.

30178 The whole of the fourth township south, in the ninth range  
30179 west.

30180 Sections numbered eight, seventeen, eighteen, nineteen,  
30181 twenty, twenty-nine, thirty, thirty-one, and thirty-two in the  
30182 fourth township south, and ninth range west.

30183 Sections numbered one, two, eleven, twelve, thirteen, four-  
30184 teen, twenty-three, twenty-four, twenty-five, twenty-six, thirty-  
30185 five, and thirty-six in the fourth township south, and eleventh  
30186 range west.

30187 Which tracts of land will form a contiguous reservation.  
30188 and contain ninety-nine sections.

30189 After this treaty shall be ratified by the President and Sen-  
30190 ate, the same shall be obligatory on the United States and the  
30191 said tribe of Indians.

30192 Proclaimed February 23, 1829.

30193 *Articles of a treaty made and concluded at the missionary estab-*  
 30194 *lishments upon the St. Joseph, of Lake Michigan, in the Terri-*  
 30195 *tory of Michigan, this 20th day of September, in the year of our*  
 30196 *Lord one thousand eight hundred and twenty-eight, between*  
 30197 *Lewis Cass and Pierre Ménard, commissioners on the part of*  
 30198 *the United States, and the Potowatami tribe of Indians.*

30199 ARTICLE 1. The Potowatami tribe of Indians cede to the  
 30200 United States the tract of land included within the following  
 30201 boundaries:

30202 1st. Beginning at the mouth of the St. Joseph of Lake  
 30203 Michigan, and thence running up the said river to a point on  
 30204 the same river half way between La-vache-qui-pisse and  
 30205 Macousiu Village; thence in a direct line to the 19th-mile tree,  
 30206 on the northern boundary-line of the State Indiana; thence  
 30207 with the same west to Lake Michigan; and thence with the  
 30208 shore of the said lake to the place of beginning.

30209 2. Beginning at a point on the line run in 1817, due east  
 30210 from the southern extreme of Lake Michigan, which point is due  
 30211 south from the head of the most easterly branch of the Kanke-  
 30212 kee River, and from that point running south ten miles; thence  
 30213 in a direct line to the northeast corner of Flatbelly's reservation;  
 30214 thence to the northwest corner of the reservation at Seek's  
 30215 Village; thence with the lines of the said reservation, and  
 30216 of former cessions, to the line between the States of Indi-  
 30217 ana and Ohio; thence, with the same to the former-described  
 30218 lined, running due east from the southern extreme of Lake  
 30219 Michigan; thence, with the said line, to the place of beginning.

30220 ARTICLE 2. In consideration of the cessions aforesaid, there  
 30221 shall be paid to the said tribe an additional permanent annuity  
 30222 of two thousand dollars, and also an additional annuity of one  
 30223 thousand dollars for the term of twenty years; goods to the  
 30224 value of thirty thousand dollars shall be given to the said tribe,  
 30225 either immediately after signing this treaty or as soon there-  
 30226 after as they can be procured; an additional sum of ten thou-  
 30227 sand dollars in goods, and another of five thousand dollars in  
 30228 specie shall be paid to them in the year 1829.

30229 The sum of seven thousand five hundred dollars shall be  
 30230 expended for the said tribe, under the direction of the Presi-  
 30231 dent of the United States, in clearing and fencing land, erecting  
 30232 houses, purchasing domestic animals and farming utensils, and  
 30233 in the support of labourers to work for them.

30234 Two thousand pounds of tobacco, fifteen hundred weight of  
 30235 iron, and three hundred and fifty pounds of steel, shall be  
 30236 annually delivered to them.

30237 One thousand dollars per annum shall be applied for the

30238 purposes of education, as long as Congress may think the ap-  
30239 propriation may be useful.

30240 One hundred dollars, in goods, shall be annually paid to  
30241 To-pen-i-be-the, principal chief of the said tribe, during his  
30242 natural life. The blacksmith, stipulated by the treaty of Chicago  
30243 to be provided for the term of fifteen years, shall be permanently  
30244 supported by the United States.

30245 Three labourers shall be provided, during four months of the  
30246 year, for ten years, to work for the band, living upon the reser-  
30247 vation south of the St. Joseph.

30248 ARTICLE 3. There shall be granted to the following persons,  
30249 all of whom are Indians by descent, the tracts of land hereafter  
30250 mentioned, which shall be located upon the second cession  
30251 above described, where the President of the United States may  
30252 direct, after the country may be surveyed, and to correspond  
30253 with surveys, provided that no location shall be made upon the  
30254 Elkheart Prairie, nor within five miles of the same; nor shall  
30255 the tracts granted be conveyed by the grantees, without the  
30256 consent of the President of the United States.

30257 To Sah-ne-mo-quaw, wife of Jean B. Dutrist, one half-sec-  
30258 tion of land.

30259 To Way-pe-nah-te-mo-quay, wife of Thomas Robb, one half  
30260 section of land.

30261 To Me-no-ka-mick-quay, wife of Edward McCarty, one half  
30262 section of land.

30263 To Ship-pe-shick-quay, wife of James Wyman, one half-sec-  
30264 tion of land.

30265 To Assappo, wife of Antoine Gamlin, one half-section of  
30266 land.

30267 To Moahquay, wife of Richard Chabert, one half-section of  
30268 land.

30269 To Me-shaw-ke-to-quay, wife of George Cicot, two sections  
30270 of land.

30271 To Mary Préjean, wife of Louis St. Combe, one section of  
30272 land.

30273 To To-pe-naw-koung, wife of Peter Langlois, one section of  
30274 land.

30275 To Au-bee-nan bee, a Potawatami chief, two sections of  
30276 land.

30277 To Me-che-hee, wife of Charles Minie, a half-section of  
30278 land.

30279 To Louison, a Potawatamie, a reservation of one section, to  
30280 include his house and corn-field.

30281 To Kes-he-wa-quay, wife of Pierre F. Navarre, one section  
30282 of land.

30283 To Benac, a Potawatami, one section of land.

30284 To Pe-pe-ne-way, a chief, one section of land.

30285 To Pierre Le Clair, one section of land.

30286 To Betsey Ducharme, one half section of land. The sec-  
30287 tion of land granted by the treaty of Chicago to Nancy Bur-  
30288 nett, now Nancy Davis, shall be purchased by the United States,  
30289 if the same can be done for the sum of one thousand dollars.

30290 To Madeleine Bertrand, wife of Joseph Bertrand, one sec-  
30291 tion of land.

30292 ARTICLE 4. The sum of ten thousand eight hundred and  
30293 ninety-five dollars shall be applied to the payments of certain  
30294 claims against the Indians, agreeably to a schedule of the said  
30295 claims hereunto annexed.(a)

30296 ARTICLE 5. Circumstances rendering it probable that the  
30297 missionary establishment now located upon the St. Joseph  
30298 may be compelled to remove west of the Mississippi, it is agreed  
30299 that when they remove the value of their buildings and other  
30300 improvements shall be estimated, and the amount paid by the  
30301 United States. But, as the location is upon the Indian reserva-  
30302 tion, the commissioners are unwilling to assume the responsibil-  
30303 ity of making this provision absolute, and therefore its rejection  
30304 is not to affect any other part of the treaty.

30305 ARTICLE 6. This treaty shall be obligatory after the same  
30306 has been ratified by the President and Senate of the United  
30307 States.

30308 Proclaimed January 7, 1829.

30309 After the signature of the treaty, and at the request of the  
30310 Indians, it was agreed that of the ten thousand dollars stipu-  
30311 lated to be delivered in goods, in 1829, three thousand dollars  
30312 shall be delivered immediately, leaving seven thousand dollars  
30313 in goods to be delivered in 1829.

30314 The reservation of Pe. Langlois' wife to be located upon the  
30315 north side of Eel River, between Peerish's Village and Louison's  
30316 reservation.

30317 The reservation of Betsey Ducharme to be located at Loui-  
30318 son's Run.

30319 *Schedule of claims referred to in the fourth article of the treaty of*  
30320 *the 20th September, 1828, with the Pottawatamie Indians.*

30321 Thomas Robb, \$200, for goods heretofore sold to the Indians.  
30322 McGeorge, \$300, for provisions sold to the Indians.

30323 Jno. B. Godfroy, \$200, for goods heretofore sold to the In-  
30324 dians.

30325 Jno. P. Hedges, \$200, for goods heretofore delivered to the  
30326 Indians.

- 30327 Joseph Allen, \$145, for horses stolen from him by the In-  
 30328 dians while he was surveying.
- 30329 Jean B. Bourre, 700, for goods furnished the Indians, a  
 30330 part of them in relation to this treaty.
- 30331 Thomas Forsyth, \$200, for goods heretofore sold to the In-  
 30332 dians.
- 30333 S. Hanna & Co., \$100, for goods heretofore sold to the In-  
 30334 dians.
- 30335 Gabriel Godfroy, jr., \$500, for goods heretofore sold to the  
 30336 Indians.
- 30337 Timothy S. Smith, \$100, for goods heretofore sold to the In-  
 30338 dians.
- 30339 W. G. and G. W. Ewings, \$200, for goods heretofore sold to  
 30340 the Indians.
- 30341 Joseph Bertrand, \$2,000, for goods heretofore sold to the  
 30342 Indians.
- 30343 To Eleanor Kinzie and her four children, by the late John  
 30344 Kinzie, \$3,500, in consideration of the attachment of the Indians  
 30345 to her deceased husband, who was long an Indian trader, and  
 30346 who lost a large sum in the trade by the credits given to them,  
 30347 and also by the destruction of his property. The money is in  
 30348 lieu of a tract of land which the Indians gave the late John  
 30349 Kinzie long since, and upon which he lived.
- 30350 Robert A. Forsyth, \$1,250, in consideration of the debts due  
 30351 from the Indians to his late father, Robert A. Forsyth, who was  
 30352 long a trader among them, and who was assisted by his son, the  
 30353 present R. A. Forsyth. The money is in lieu of a tract of land  
 30354 which the Indians gave to the late R. A. Forsyth, since renewed  
 30355 to the present R. A. Forsyth, upon which both of them hereto-  
 30356 fore lived.
- 30357 Jean B. Comparet, \$500, for goods heretofore sold to the  
 30358 Indians.
- 30359 C. and D. Dousseau, \$100, for goods heretofore sold to the  
 30360 Indians.
- 30361 P. F. Navarre, \$100, for goods heretofore sold to the Indians.
- 30362 Francis Paget, \$100, for goods heretofore sold to the Indians.
- 30363 G. O. Hubbard, \$200, for goods heretofore sold to the In-  
 30364 dians.
- 30365 Alexis Coquillard, \$200, for goods heretofore sold to the In-  
 30366 dians.
- 30367 Amounting, in the whole, to the sum of ten thousand eight  
 30368 hundred and ninety-five dollars.
- 30369  
 30370

LEW. CASS,

. PIERRE MENARD.

30371 *Articles of a treaty made and concluded on Tippecanoe River, in the*  
 30372 *State of Indiana, between Jonathan Jennings, John W. Davis,*  
 30373 *and Marks Crume, commissioners on the part of the United*  
 30374 *States, and the chiefs, head-men, and warriors of the Pottawat-*  
 30375 *imie Indians, this twenty-sixth day of October, in the year eight-*  
 30376 *teen hundred and thirty-two.*

30377 ARTICLE 1. The chiefs, head-men, and warriors aforesaid,  
 30378 agree to cede to the United States their title and interest to lands  
 30379 in the State of Indiana, (to wit:) beginning at a point on Lake  
 30380 Michigan where the line dividing the States of Indiana and  
 30381 Illinois intersects the same; thence with the margin of said  
 30382 lake to the intersection of the southern boundary of a cession  
 30383 made by the Pottawatimies, at the treaty of the Wabash, of  
 30384 eighteen hundred and twenty-six; thence east to the northwest  
 30385 corner of the cession made by the treaty of St. Joseph's, in eighteen  
 30386 hundred and twenty-eight; thence south ten miles; thence with  
 30387 the Indian boundary-line to the Michigan road; thence south  
 30388 with said road to the northern boundary-line, as designated in  
 30389 the treaty of eighteen hundred and twenty-six with the Potta-  
 30390 watimies; thence west with the Indian boundary-line to the  
 30391 River Tippecanoe; thence with the Indian boundary-line, as  
 30392 established by the treaty of eighteen hundred and eighteen, at  
 30393 St. Mary's, to the line dividing the States of Indiana and Illi-  
 30394 nois; and thence north, with the line dividing the said States,  
 30395 to the place of beginning.

30396 ARTICLE 2. From the cession aforesaid, the following reser-  
 30397 vations are made, (to wit:)

30398 For the band of Aub-be-naub-bee, thirty-six sections, to in-  
 30399 clude his village.

30400 For the bands of Men-o-mi-nee, No-taw-kah, Muck-kah-tah-  
 30401 mo-way, and Pee-pin-oh-waw, twenty-two sections.

30402 For the bands of O-kaw-wause, Kee-waw-nay, and Nee-bosh,  
 30403 eight sections.

30404 For J. B. Shadernah, one section of land in the Door Prai-  
 30405 rie, where he now lives.

30406 For the band of Com-o-za, two sections.

30407 For the band of Mah-che-saw, two sections.

30408 For the band of Mau-ke-kose, six sections.

30409 For the bands of Nees-waug-gee, and Quash-qua, three sec-  
 30410 tions.

30411 ARTICLE 3. In consideration of the cession aforesaid, the  
 30412 United States agree to pay to the Pottawatimie Indians an an-  
 30413 nuity for the term of twenty years of twenty thousand dollars,  
 30414 and will deliver to them goods to the value of one hundred thou-  
 30415 sand dollars, so soon after the signing of this treaty as they can

30416 be procured; and a further sum of thirty thousand dollars in  
 30417 goods shall be paid to them in the year eighteen hundred and  
 30418 thirty-three by the Indian agent at Eel River.

30419 ARTICLE 4. The United States agree to pay the debts due  
 30420 by the Pottawatimies, agreeably to a schedule hereunto annexed,  
 30421 amounting to sixty-two thousand four hundred and twelve dol-  
 30422 lars.

30423 ARTICLE 5. The United States agree to provide for the  
 30424 Pottawatimies, if they shall at any time hereafter wish to change  
 30425 their residence, an amount, either in goods, farming utensils,  
 30426 and such other articles as shall be required and necessary, in  
 30427 good faith, and to an extent equal to what has been furnished  
 30428 any other Indian tribe or tribes emigrating, and in just propor-  
 30429 tion to their numbers.

30430 ARTICLE 6. The United States agree to erect a saw-mill on  
 30431 their lands, under the direction of the President of the United  
 30432 States.

30433 After the signing of this treaty, and at the request of the  
 30434 Indians, five thousand one hundred and thirty-five dollars were  
 30435 applied to the purchase of horses, which were purchased and  
 30436 delivered to them, under our direction, leaving ninety-four  
 30437 thousand eight hundred and sixty-five dollars to be paid in mer-  
 30438 chandize.

30439 It is agreed that the United States will satisfy the claims  
 30440 mentioned in the following schedule, as provided for in the fourth  
 30441 article of the foregoing treaty, viz:

30442 To Andrew Waymire, forty dollars.

30443 Zachariah Cicott, nine hundred and fifty dollars.

30444 H. Lassell, senior, four thousand dollars.

30445 Silas Atchison, two hundred and twenty dollars.

30446 Alexander McAllister, two hundred and twenty dollars.

30447 Walker and Davis, fifteen hundred dollars.

30448 Walker, Carter & Co., five thousand six hundred dollars.

30449 Edward McCartney, one thousand dollars.

30450 F. R. Kintner, six hundred and twenty dollars.

30451 Joseph Trucky, one hundred dollars.

30452 J. Vigus & C. Taber, eight hundred and fifty dollars.

30453 James Burnit, six hundred dollars.

30454 Samuel Hanna, executor of Abraham Burnet, three hundred  
 30455 and fifty dollars.

30456 James Hickman, sixty dollars.

30457 William Scott, two hundred and fifty dollars.

30458 M. Harse, seventy dollars.

30459 Emmerson and Huntington, assignees of Willis Fellows,  
 30460 four thousand five hundred dollars.

30461 W. G. and G. W. Ewing, one thousand dollars.

- 30462 Peter Barron, seventeen hundred and sixty-six dollars.  
 30463 Hamilton & Taber, seven hundred and thirty-seven dollars.  
 30464 Skelton & Scott, six hundred and fifty dollars.  
 30465 Cyrus Taber, three hundred and fifty dollars.  
 30466 G. S. Hubbard, one thousand dollars.  
 30467 Moses Rice, one hundred dollars.  
 30468 John E. Hunt, three thousand two hundred and sixteen  
 30469 dollars.  
 30470 John Baldwin, one thousand dollars.  
 30471 Louis Drouillard, sixty-eight dollars.  
 30472 George Crawford, eighty dollars.  
 30473 Thomas Hall, forty dollars.  
 30474 John B. Duret, four hundred dollars.  
 30475 Anthony Gambin, three hundred dollars.  
 30476 Joseph Barron, seven hundred and ninety-six dollars.  
 30477 James H. Kintner, three hundred and fifty-seven dollars.  
 30478 John B. Bourie, five hundred dollars.  
 30479 Henry Ossum, nine hundred dollars.  
 30480 Samuel Hanna, fifteen hundred dollars.  
 30481 Barnet & Hanna, three thousand five hundred dollars.  
 30482 Todd & Vigus, six thousand five hundred and thirteen dol-  
 30483 lars.  
 30484 Allen Hamilton, seven hundred dollars.  
 30485 W. G. and G. W. Ewing, three thousand dollars.  
 30486 George F. Turner, two hundred dollars.  
 30487 Peter Longlois, two thousand five hundred dollars.  
 30488 Thomas Robb, eight hundred and forty dollars.  
 30489 The estate of George Cicott, deceased, fifteen hundred dol-  
 30490 lars.  
 30491 George C. Spencer, one hundred and fifty-seven dollars.  
 30492 John T. Douglass, one hundred dollars.  
 30493 W. G. and G. W. Ewing, seven hundred and sixteen dollars.  
 30494 H. B. M'Keen, six hundred dollars.  
 30495 Joseph Bertrand, senior, fifteen hundred dollars.  
 30496 George C. Spencer, three hundred dollars.  
 30497 Jesse Buzann, three hundred and sixteen dollars.  
 30498 Joseph Douglass, four hundred and fifty dollars.  
 30499 John Smith, four hundred and eighty dollars.  
 30500 Moses Barnett, eight hundred and forty-five dollars.  
 30501 Harison Barnett, two hundred and sixty-seven dollars.  
 30502 Lot Bozarth, ninety dollars.  
 30503 Silas Alchison, two hundred and forty-four dollars.  
 30504 Harrison Barnett & Co., one hundred and seventy-eight  
 30505 dollars.  
 30506 James Elliott, one hundred and nineteen dollars.  
 30507 Alexander Smith, one hundred dollars.

- 30508 Walker, Carter & Co., four hundred and four dollars.  
 30509 John Forsyth, amr., &c., of Thomas Forsyth, four hundred  
 30510 and seventy-three dollars.  
 30511 John Forsyth, six hundred dollars.  
 30512 Proclaimed January 21, 1833.

30513 *Articles of a treaty made and concluded at the Potawattimie*  
 30514 *mills, in the State of Indiana, on the sixteenth day of Decem-*  
 30515 *ber, in the year of our Lord one thousand eight hundred and*  
 30516 *thirty-four, between William Marshall, commissioner on the*  
 30517 *part of the United States, and the chiefs, head-men, and war-*  
 30518 *riors of the Potawattamis Indians.*

30519 ARTICLE 1. The chiefs, head-men, and warriors aforesaid  
 30520 agree to cede to the United States their title and interest to a  
 30521 reservation made to them at the treaty on the Tippecanoe River  
 30522 on the 27th day of October, 1832, (proclaimed 21 January, 1833 ;  
 30523 see treaty next preceding,) of two sections of land, to include  
 30524 their mills on said river.

30525 ARTICLE 2. In consideration of the cession aforesaid the  
 30526 United States agree to pay the Potawattimie Indians, at the  
 30527 payment of their annuities in 1835, the sum of seven hundred  
 30528 dollars in cash, and pay their just debts agreeably to a schedule  
 30529 hereunto annexed, amounting to nine hundred dollars.

30530 ARTICLE 3. The miller provided for by the 3d article of the  
 30531 treaty with the Potawattimie tribe of Indians on the sixteenth  
 30532 day of October, in the year eighteen hundred and twenty-six, is  
 30533 not to be supported by the United States, and to cease from and  
 30534 after the signing of this treaty.

30535 ARTICLE 4. This treaty shall be binding upon both parties  
 30536 from the date of its ratification by the President and Senate of  
 30537 the United States.

30538 Proclaimed March 16, 1835.

30539 A PROCLAMATION

30540 *By the President of the United States of America.*

30541 *To all and singular to whom these presents shall come, greeting :*

30542 Whereas a treaty was made and concluded at the Potta-  
 30543 watomie agency on the Kansas River, in the State of Kansas,  
 30544 on the fifteenth day of November, one thousand eight hundred  
 30545 and sixty-one, between William W. Ross, commissioner on the  
 30546 part of the United States, and the chiefs, braves, and head-men  
 30547 of the Pottawatomie Nation of Indians, on the part of said  
 30548 nation ; and

30549 Whereas the said treaty having been submitted to the Senate

30550 of the United States for its constitutional action thereon, the  
 30551 Senate did, by its resolution of the fifteenth day of April, one  
 30552 thousand eight hundred and sixty-two, advise and consent to  
 30553 the ratification of said treaty with certain amendments; and

30554 Whereas said nation of Indians did, on the seventeenth day  
 30555 of April, one thousand eight hundred and sixty-two, by a com-  
 30556 mittee composed of Shawque, (chief,) To-penubbee, (chief,) We-  
 30557 weh-seh, (chief,) Me-yenco, (chief,) and Shomen, (brave,) ap-  
 30558 pointed to transact all their national business between them and  
 30559 the agent of the United States and the Indian Department, and  
 30560 by Joseph N. Bourassa, George L. Young, B. H. Bertrand, M.  
 30561 B. Beaubien, L. H. Ogee, John Tipton, and Lewis View, in the  
 30562 presence of Clark W. Thompson, (superintendent of Indian  
 30563 affairs for the northern superintendency,) Lewis S. Hayden,  
 30564 John B. Gordon, and Elisha Goddard, give their free and volun-  
 30565 tary assent to the amendments made by the Senate in the reso-  
 30566 lution aforesaid; which treaty, as amended by the Senate and  
 30567 assented to by said committee and others, is word for word as  
 30568 follows :

30569 Articles of a treaty made and concluded at the agency on the  
 30570 Kansas River, on the fifteenth day of November, in the  
 30571 year of our Lord one thousand eight hundred and sixty-  
 30572 one, by and between Wm. W. Ross, commissioner on the  
 30573 part of the United States, and the undersigned chiefs,  
 30574 braves, and head-men of the Pottawatomie Nation, on be-  
 30575 half of said nation.

30576 ARTICLE 1. The Pottawatomie tribe of Indians believing  
 30577 that it will contribute to the civilization of their people to dis-  
 30578 pose of a portion of their present reservation in Kansas, con-  
 30579 sisting of five hundred and seventy-six thousand acres, which  
 30580 was acquired by them for the sum of \$87,000, by the fourth  
 30581 article of the treaty between the United States and the said  
 30582 Pottawatomies, proclaimed by the President of the United  
 30583 States on the 23d day of July, 1846, (see page 181,) and to al-  
 30584 lot lands in severalty to those of said tribe who have adopted  
 30585 the customs of the whites and desire to have separate tracts as-  
 30586 signed to them, and to assign a portion of said reserve to those  
 30587 of the tribe who prefer to hold their lands in common: it is  
 30588 therefore agreed by the parties hereto that the Commissioner of  
 30589 Indian Affairs shall cause the whole of said reservation to be  
 30590 surveyed in the same manner as the public lands are surveyed,  
 30591 the expense whereof shall be paid out of the sales of lands here-  
 30592 inafter provided for, and the quantity of land hereinafter pro-  
 30593 vided to be set apart to those of the tribe who desire to take  
 30594 their lands in severalty, and the quantity hereinafter provided  
 30595 to be set a part for the rest of the tribe in common; and the

30596 remainder of the land, after the special reservations hereinafter  
 30597 provided for shall have been made, to be sold for the benefit of  
 30598 said tribe.

30599       ARTICLE 2. It shall be the duty of the agent of the United  
 30600 States for said tribe to take an accurate census of all the mem-  
 30601 bers of the tribe, and to classify them in separate lists, showing  
 30602 the names, ages, and numbers of those desiring lands in sever-  
 30603 alty, and of those desiring lands in common, designating chiefs  
 30604 and head-men, respectively; each adult choosing for himself or  
 30605 herself, and each head of a family for the minor children of such  
 30606 family, and the agent for orphans and persons of an unsound  
 30607 mind. And thereupon there shall be assigned, under the direc-  
 30608 tion of the Commissioner of Indian Affairs, to each chief at the  
 30609 signing of the treaty, one section; to each head-man, one half  
 30610 section; to each other head of a family, one quarter section;  
 30611 and to each other person eighty acres of land, to include, in  
 30612 every case, as far as practicable, to each family, their improve-  
 30613 ments and a reasonable portion of timber, to be selected accord-  
 30614 ing to the legal subdivision of survey. When such assignments  
 30615 shall have been completed, certificates shall be issued by the  
 30616 Commissioner of Indian Affairs for the tracts assigned in sev-  
 30617 eralty, specifying the names of the individuals to whom they  
 30618 have been assigned, respectively, and that said tracts are set  
 30619 apart for the perpetual and exclusive use and benefit of such  
 30620 assignees and their heirs. Until otherwise provided by law,  
 30621 such tracts shall be exempt from levy, taxation, or sale, and  
 30622 shall be alienable in fee or leased or otherwise disposed of only  
 30623 to the United States, or to persons then being members of the  
 30624 Pottawatomie tribe and of Indian blood, with the permission of  
 30625 the President, and under such regulations as the Secretary of  
 30626 the Interior shall provide, except as may be hereinafter provided.  
 30627 And on receipt of such certificates, the person to whom they are  
 30628 issued shall be deemed to have relinquished all right to any por-  
 30629 tion of the lands assigned to others in severalty, or to a portion  
 30630 of the tribe in common, and to the proceeds of sale of the same  
 30631 whensoever made.

30632       ARTICLE 3. At any time hereafter when the President of  
 30633 the United States shall have become satisfied that any adults,  
 30634 being males and heads of families, who may be allottees under  
 30635 the provisions of the foregoing article, are sufficiently intelligent  
 30636 and prudent to control their affairs and interests, he may, at the  
 30637 request of such persons, cause the lands severally held by them  
 30638 to be conveyed to them by patent in fee-simple, with power of  
 30639 alienation; and may, at the same time, cause to be paid to them,  
 30640 in cash or in the bonds of the United States, their proportion of  
 30641 the cash value of the credits of the tribe, principal and interest,

30642 then held in trust by the United States, and also, as the same  
 30643 may be received, their proportion of the proceeds of the sale of  
 30644 lands under the provisions of this treaty. And on such patents  
 30645 being issued and such payments ordered to be made by the Pres-  
 30646 ident, such competent persons shall cease to be members of said  
 30647 tribe, and shall become citizens of the United States; and thereaf-  
 30648 ter the lands so patented to them shall be subject to levy, taxation,  
 30649 and sale, in like manner with the property of other citizens:  
 30650 *Provided*, That before making any such application to the Presi-  
 30651 dent, they shall appear in open court in the district court of the  
 30652 United States for the district of Kansas, and make the same proof  
 30653 and take the same oath of allegiance as is provided by law for  
 30654 the naturalization of aliens, and shall also make proof to the sat-  
 30655 isfaction of said court that they are sufficiently intelligent and  
 30656 prudent to control their affairs and interests, that they have  
 30657 adopted the habits of civilized life, and have been able to sup-  
 30658 port, for at least five years, themselves and families.

30659 ARTICLE 4. To those members of said tribe who desire to  
 30660 hold their lands in common there shall be set apart an undivided  
 30661 quantity sufficient to allow one section to each chief, one half  
 30662 section to each head-man, and one hundred and sixty acres to  
 30663 each other head of a family, and eighty acres of land to each  
 30664 other person, and said land shall be held by that portion of the  
 30665 tribe for whom it is set apart by the same tenure as the whole  
 30666 reserve has been held by all of said tribe under the treaty of  
 30667 one thousand eight hundred and forty-six. And upon such land  
 30668 being assigned in common the persons to whom it is assigned  
 30669 shall be held to have relinquished all title to the lands assigned  
 30670 in severalty and in the proceeds of sales thereof whenever made.

30671 ARTICLE 5. The Pottawatomies believing that the construc-  
 30672 tion of the Leavenworth, Pawnee and Western Railroad, from  
 30673 Leavenworth City to the western boundary of the former reserve  
 30674 of the Delawares, is now rendered reasonably certain, and being  
 30675 desirous to have said railroad extended through their reserve  
 30676 in the direction of Fort Riley, so that the value of the lands re-  
 30677 tained by them may be enhanced, and the means afforded them  
 30678 of getting the surplus product of their farms to market, it is  
 30679 provided that the Leavenworth, Pawnee and Western Railroad  
 30680 Company shall have the privilege of buying the remainder of  
 30681 their lands within six months after the tracts herein otherwise  
 30682 disposed of shall have been selected and set apart, provided  
 30683 they purchase the whole of such surplus lands at the rate of one  
 30684 dollar and twenty-five cents per acre.

30685 And if said company make such purchase, it shall be sub-  
 30686 ject to the considerations following, to wit: They shall construct  
 30687 and fully equip a good and efficient railroad from Leavenworth

30688 City to a point half way between the western boundary of the  
 30689 said former Delaware reserve and the western boundary of the  
 30690 said Pottawatomie reserve, (being the first section of said road,)   
 30691 within six years from the date of such purchase, and shall con-  
 30692 struct and fully equip such road from said last-named point to  
 30693 the western boundary of said Pottawatomie reserve, (being the  
 30694 second section of said road,) within three years from the date  
 30695 fixed for the completion of said first section; and no patent  
 30696 or patents shall issue to said company or its assigns for any of  
 30697 said lands purchased until the first section of said railroad shall  
 30698 have been completed and equipped, and then for not more than  
 30699 half of said lands; and no patent or patents shall issue to said com-  
 30700 pany or its assigns for any of the remaining portion of said lands  
 30701 until said second section of said railroad shall have been completed  
 30702 and equipped as aforesaid; and before any patents shall issue for  
 30703 any part of said lands, payment shall be made for the lands to  
 30704 be patented at the rate of one dollar and twenty-five cents per  
 30705 acre; and said company shall pay the whole amount of the pur-  
 30706 chase-money for said lands in gold or silver coin to the Secre-  
 30707 tary of the Interior of the United States, in trust for said Pot-  
 30708 tawatomie Indians, within nine years from the date of such pur-  
 30709 chase, and shall also in like manner pay to the Secretary of the  
 30710 Interior of the United States, in trust as aforesaid, each and  
 30711 every year, until the whole purchase-money shall have been  
 30712 paid, interest from date of purchase, at six per cent. per an-  
 30713 num, on all the purchase-money remaining unpaid.

30714 And if said company shall fail to complete either section of  
 30715 such railroad in a good and efficient manner, or shall fail to pay  
 30716 the whole of the purchase-money for said land within the times  
 30717 above prescribed, or shall fail to pay all or any part of the in-  
 30718 terest upon said purchase-money each year as aforesaid within  
 30719 thirty days from the date when such payment of interest shall  
 30720 fall due, then the contract or purchase shall be deemed and held  
 30721 absolutely null and void, and shall cease to be binding on either  
 30722 of the parties thereto, and said company and its assigns shall  
 30723 forfeit all payments of principal and interest made on such pur-  
 30724 chase, and all right and title, legal and equitable, of any kind  
 30725 whatsoever, in and to all and every part of said lands which  
 30726 shall not have been before the date of such forfeiture earned  
 30727 and patented pursuant to the provisions of this treaty.

30728 And whenever any patent shall issue to said railroad  
 30729 company for any part of said lands, it shall contain the condi-  
 30730 tion that the said company shall sell the land described in such  
 30731 patent, except so much as shall be necessary for the working of  
 30732 the road, within five years from the issuing of such patent.

30733 And said company shall have the perpetual right of way

30734 over the lands of the Pottawatomies not sold to it for the con-  
 30735 struction and operation of said railroad, not exceeding one  
 30736 hundred feet in width, and the right to enter on said lands and  
 30737 take and use such gravel, stone, earth, water, and other material,  
 30738 except timber, as may be necessary for the construction and  
 30739 operation of said road, making compensation for any damages  
 30740 to improvements done in obtaining such material, and for any  
 30741 damages arising from the location or running of said road to im-  
 30742 provements made before the road is located. Such damages and  
 30743 compensation, in cases where said company and the persons whose  
 30744 improvements are injured or property taken cannot agree, to be  
 30745 ascertained and adjusted under the direction of the Commis-  
 30746 sioner of Indian Affairs. And in case said company shall not  
 30747 promptly pay the amount of such damages and compensation,  
 30748 the Secretary of the Interior may withhold patents for any part  
 30749 of the lands purchased by them until payment be made of the  
 30750 amount of such damages, with six per cent. interest thereon  
 30751 from the date when the same shall have been ascertained and  
 30752 demanded.

30753 And in case said company shall not purchase said surplus  
 30754 lands, or, having purchased, shall forfeit the whole or any part  
 30755 thereof, the Secretary of the Interior shall thereupon cause the  
 30756 same to be appraised at not less than one dollar and twenty-five  
 30757 cents per acre, and shall sell the same, in quantities not exceed-  
 30758 ing one hundred and sixty acres, at auction to the highest bid-  
 30759 der for cash, at not less than such appraised value.

30760 ARTICLE 6. There shall be selected by the Commissioner of  
 30761 Indian Affairs three hundred and twenty acres of land, includ-  
 30762 ing the church, school-houses, and fields of the St. Mary's Cath-  
 30763 olic Mission, but not including the buildings and enclosures  
 30764 occupied and used by persons other than those connected with  
 30765 the mission, without the consent of such persons, which shall  
 30766 be conveyed by the Secretary of the Interior to John F. Diel,  
 30767 John Summaker, and M. Gerillain, as trustees for the use of the  
 30768 society under whose patronage and control the church and school  
 30769 have been conducted within the last fourteen years; on condi-  
 30770 tion, however, that, so long as the Pottawatomie Nation shall  
 30771 continue to occupy its present reservation, or any portion  
 30772 thereof, the said land shall be used and its products devoted  
 30773 exclusively to the maintenance of a school and church for their  
 30774 benefit. And there shall be reserved and conveyed in like man-  
 30775 ner, and upon like conditions, three hundred and twenty acres  
 30776 of land, including the Baptist Mission buildings and enclosures,  
 30777 such conveyances to be made to such persons as may be desig-  
 30778 nated by the Baptist Board of Missions.

30779 ARTICLE 7. By article eight of the treaty of June 5th,  
 30780 1846, between the United States and the Pottawatomie Indians

it is stipulated "that the annual interest of their improvement fund shall be paid out promptly and fully for their benefit at their new homes. If, however, at any time thereafter, the President of the United States shall be of opinion that it would be advantageous to the Pottawatomic Nation, and they should request the same to be done, to pay them the interest of said money in lieu of the employment of persons, or the purchase of implements or machines, he is hereby authorized to pay the same, or any part thereof, in money, as their annuities are paid, at the time of the general payment of annuities."

It is hereby agreed that the interest arising from said improvement-fund shall, in all cases hereafter, be paid in such machines and implements as will be useful to the people in their agricultural pursuits, as long as the nation shall desire it to be done, except that the shops and mechanics and physicians, now sustained by the funds of the nation, shall continue to be maintained, as at this time, for one year after this treaty shall have been ratified.

ARTICLE 8. If at any time hereafter any band or bands of the Pottawatomic Nation shall desire to remove from the homes provided for them in this treaty, it shall be the duty of the Secretary of the Interior to have their proportionate part of the lands which may be assigned to the tribe appraised and sold, and invest such portion of the proceeds thereof as may be necessary in the purchase of a new home for such band or bands, leaving the remainder, should any remain after paying the expense of their removal, to be invested in six per cent. bonds of the United States, for the benefit of such band or bands. Such band or bands so removed shall continue to receive their proportion of the annuities of the tribe.

ARTICLE 9. No provision of this treaty shall be so construed as to invalidate any claim heretofore preferred by the Pottawatomes against the United States arising out of previous treaties.

ARTICLE 10. It is hereby agreed that the Commissioner of Indian Affairs shall set apart, for the benefit of said allottees, their equal pro rata share of the improvement-fund of the tribe, which sum so set apart may be expended, in whole or in part, by the said Commissioner, and under his direction, for agricultural purposes, as he shall from time to time deem expedient and for the welfare of the said Indians.

ARTICLE 11. Should the Senate reject or amend any of the above articles, such rejection or amendment shall not affect the other provisions of this treaty, but the same shall go into effect when ratified by the Senate and approved by the President.

Proclaimed April 19, 1862.

87 I T

30827 *Supplemental article to the treaty of November 15, 1861, between*  
 30828 *the United States of America and the Pottawatomie tribe of*  
 30829 *Indians, concluded March 29, 1866; ratification advised*  
 30830 *April 26, 1866.*

30831 ANDREW JOHNSON, President of the United States of America,  
 30832 to all and singular to whom these presents shall come,  
 30833 greeting :

30834 Whereas a supplemental article to the treaty between the  
 30835 United States of America and the Pottawatomie Nation of In-  
 30836 dians, of the fifteenth of November, one thousand eight hundred  
 30837 and sixty-one, was made and concluded at the city of Washing-  
 30838 ton, in the District of Columbia, on the twenty-ninth day of  
 30839 March, in the year of our Lord one thousand eight hundred and  
 30840 sixty-six, by and between Dennis N. Cooley, commissioner on  
 30841 the part of the United States, and J. N. Bourassa, U. F. Navane,  
 30842 and B. N. Bertrand, business committee, on the part of said  
 30843 nation of Indians, and duly authorized thereto by them, which  
 30844 supplemental article is in the words and figures following, to  
 30845 wit :

30846 Whereas certain amendments are desired by the Pottawato-  
 30847 mie Indians to their treaty concluded at the Pottawatomie  
 30848 agency on the fifteenth day of November, A. D. 1861, and  
 30849 amended by resolution of the Senate of the United States dated  
 30850 April the fifteenth, A. D. 1862; and whereas the United States  
 30851 are willing to assent to such amendments, it is therefore agreed  
 30852 by and between Dennis N. Cooley, commissioner on the part of  
 30853 the United States, thereunto duly authorized, and the under-  
 30854 signed business committee, acting on behalf of said tribe, and  
 30855 being thereunto duly authorized, in manner and form following,  
 30856 that is to say :

30857 ARTICLE 1. The beneficial provisions in behalf of the more  
 30858 prudent and intelligent members of said tribe, contained in the  
 30859 third article of the amended treaty above recited, shall not here-  
 30860 after be confined to males and heads of families, but the same  
 30861 shall be, and are hereby, extended to all adult persons of said  
 30862 tribe, without distinction of sex, whether such persons are or  
 30863 shall be heads of families or otherwise, in the same manner, to  
 30864 the same extent, and upon the same terms, conditions, and stip-  
 30865 ulations as are contained in said third article of said treaty with  
 30866 reference to " males and heads of families."

30867 *Treaty between the United States of America and the Pottawatomie*  
 30868 *tribe of Indians, concluded February 27, 1867; ratification*  
 30869 *advised, with amendments, July 25, 1868; amendments accepted*  
 30870 *August 4, 1868.*

30871 ANDREW JOHNSON, President of the United States of America,  
 30872 to all and singular to whom these presents shall come, greet-  
 30873 ing:

30874 Whereas a treaty was made and concluded at the city of  
 30875 Washington, in the District of Columbia, on the twenty-seventh  
 30876 day of February, in the year of our Lord one thousand eight  
 30877 hundred and sixty-seven, by and between Lewis V. Bogy, W.  
 30878 H. Watson, Thomas Murphy, and L. R. Palmer, commissioners  
 30879 on the part of the United States, and Mazhee, Mianco, Shawgwe,  
 30880 B. H. Bertrand, J. N. Bourassa, M. B. Beaubien, L. H. Ogee, and  
 30881 George L. Young, of the Pottawatomie tribe of Indians, and  
 30882 duly authorized thereto by them, which treaty is in the words  
 30883 and figures following, to wit:

30884 Articles of agreement concluded at Washington, D. C., on the  
 30885 twenty-seventh day of February, 1867, between the United  
 30886 States, represented by Lewis V. Bogy, Commissioner of In-  
 30887 dian Affairs; W. H. Watson, special commissioner; Thos.  
 30888 Murphy, supt. of Indian affairs for Kansas; and Luther R.  
 30889 Palmer, U. S. Indian agent, duly authorized, and the Potta-  
 30890 watomie tribe of Indians, represented by their chiefs, braves,  
 30891 and head-men, to wit: Mazhee, Mianco, Shawgwe, B. H.  
 30892 Bertrand, J. N. Bourassa, M. B. Beaubien, L. H. Ogee, and  
 30893 G. L. Young.

30894 Whereas the Pottawatomies believe that it is for the in-  
 30895 terest of their tribe that a home should be secured for them in  
 30896 the Indian country south of Kansas, while there is yet an op-  
 30897 portunity for the selection of a suitable reservation; and whereas  
 30898 the tribe has the means of purchasing such reservation from  
 30899 funds to arise from the sale of lands under the provisions of  
 30900 this treaty, without interfering with the exclusive rights of  
 30901 those of their people who hold their lands in common to the  
 30902 ownership of their diminished reserve, held by them in common,  
 30903 or with their right to receive their just proportion of the moneys  
 30904 arising from the sale of unallotted lands, known as surplus  
 30905 lands: Now, therefore, it is agreed—

30906 ARTICLE 1. It being the intention of the Government that  
 30907 a commission shall visit the Indian country as soon as practi-  
 30908 cable after the ratification of the treaties contemplating the re-  
 30909 moval of certain tribes from Kansas, accompanied by delegates  
 30910 from the several tribes proposing to remove, it is agreed that a  
 30911 delegation of the Pottawatomies may accompany said commis-

30912 sion in order to select, if possible, a suitable location for their  
 30913 people without interfering with the locations made for other In-  
 30914 dians; and if such location shall be found satisfactory to the  
 30915 Pottawatomies, and approved by the Secretary of the Interior,  
 30916 such tract of land, not exceeding thirty miles square, shall be  
 30917 set apart as a reservation for the exclusive use and occupancy of  
 30918 that tribe; and upon the survey of its lines and boundaries,  
 30919 and ascertaining of its area, and payment to the United States  
 30920 for the same as hereinafter mentioned and set forth, the said  
 30921 tract shall be patented to the Pottawatomie Nation: *Provided*,  
 30922 That if the said Pottawatomies shall prefer to select a new home  
 30923 among the Cherokees, by agreement with the said Cherokees,  
 30924 for a price within the means of the Pottawatomies, the Gov-  
 30925 ernment will confirm such agreement.

30926 ARTICLE 2. In case the new reservation shall be selected  
 30927 upon the lands purchased by the Government from the Creeks,  
 30928 Seminoles, or Choctaws, the price to be paid for said reservation  
 30929 shall not exceed the cost of the same to the Government of the  
 30930 United States; and the sum to be paid by the tribe for said res-  
 30931 ervation shall be taken from the amount which may be received  
 30932 for the lands which were offered for sale to the Leavenworth,  
 30933 Pawnee and Western Railroad Company, under the treaty dated  
 30934 November fifteen, eighteen hundred and sixty-one, which amount  
 30935 shall be the common property of the tribe, except the Prairie  
 30936 band, who shall have no interest in said reservation to be pur-  
 30937 chased as aforesaid, but in lieu thereof shall receive their pro  
 30938 rata share of the proceeds of the sale of said land in money, as  
 30939 the same may be received: *Provided*, That if the United States  
 30940 shall advance the amount necessary to purchase the said reser-  
 30941 vation, the interest due upon the deferred payments for said  
 30942 lands, sold as hereinafter provided, shall, when received by the  
 30943 United States, be retained and credited to said tribe interested  
 30944 in said reservation, or so much of said interest as may be due  
 30945 said tribe under this treaty: *And provided further*, That the  
 30946 Leavenworth, Pawnee and Western Railroad Company, their  
 30947 successors and assigns, having failed to purchase said lands, the  
 30948 Atchison, Topeka and Santa Fé Railroad Company may, within  
 30949 thirty days after the promulgation of this treaty, purchase of the  
 30950 said Pottawatomies their said unallotted lands, except as here-  
 30951 inafter provided, to St. Mary's Mission, at the price of one dol-  
 30952 lar per acre, lawful money of the United States, and upon filing  
 30953 their bond for the purchase and payment of said lands in due  
 30954 form, to be approved by the Secretary of the Interior within the  
 30955 time above named, the said Secretary of the Interior shall issue  
 30956 to the last-named railroad company certificates of purchase,  
 30957 and such certificates of purchase shall be deemed and holden in

all courts as evidence of title and possession in the said railroad company to all or any part of said lands, unless the same shall be forfeited as herein provided. The said purchase-money shall be paid to the Secretary of the Interior, in trust for said Indians, within five years from the date of such purchase, with interest at the rate of six per cent. per annum on all deferred payments, until the whole purchase-money shall have been paid; and before any patents shall issue for any part of said lands, one hundred thousand dollars shall be deposited with the Secretary of the Interior, to be forfeited in case the whole of the lands are not paid for as herein provided; (said money may be applied as the payment for the last one hundred thousand acres of said land;) payments shall also be made for at least one-fourth of said unallotted lands at the rate of one dollar per acre, and when so paid the President is authorized hereby to issue patents for the land so paid for; and then for every additional part of said land, upon the payment of one dollar per acre. The interest on said purchase-money shall be paid annually to the Secretary of the Interior for the use of said Indians. If the said company shall fail to pay the principal when the same shall become due, or to pay all or any part of the interest upon said purchase-money within thirty (30) days after the time when such payment of interest shall fall due, then this contract shall be deemed and held absolutely null and void, and cease to be binding upon either of the parties thereto, and said company and its assigns shall forfeit all payments of principal and interest made on such purchase, and all right and title, legal and equitable, of any kind whatsoever, in and to all and every part of said lands which shall not have been, before the date of such forfeiture, paid for, as herein provided: *Provided, however,* That in case any of said lands have been conveyed to bona-fide purchasers by said Atchison, Topeka and Santa Fé Railroad Company, such purchasers shall be entitled to patents for said land so purchased by them upon the payment of one dollar and twenty-five cents per acre therefor, under such rules and regulations as may be prescribed by the Secretary of the Interior.

ARTICLE 3. After such reservation shall have been selected and set apart for the Pottawatomies, it shall never be included within the jurisdiction of any State or Territory, unless an Indian Territory shall be organized, as provided for in certain treaties made in eighteen hundred and sixty-six with the Choctaws and other tribes occupying the "Indian country;" in which case, or in case of the organization of a legislative council or other body, for the regulation of matters affecting the relations of the tribes to each other, the Pottawatomies resident thereon shall have the

31003 right to representation, according to their numbers, on equal  
31004 terms with the other tribes.

31005       ARTICLE 4. A register shall be made, under the direction of  
31006 the agent and the business committee of the tribe, within two  
31007 years after the ratification of this treaty, which shall show the  
31008 names of all members of the tribe who declare their desire to  
31009 remove to the new reservation, and of all who desire to remain  
31010 and to become citizens of the United States; and after the filing  
31011 of such register in the office of the Commissioner of Indian  
31012 Affairs, all existing restrictions shall be removed from the sale  
31013 and alienation of lands by adults who shall have declared their  
31014 intention to remove to the new reservation: But, *provided*, That  
31015 no person shall be allowed to receive to his own use the avails of  
31016 the sale of his land, unless he shall have received the certificate  
31017 of the agent and business committee that he is fully competent  
31018 to manage his own affairs; nor shall any person also be allowed  
31019 to sell and receive the proceeds of the sale of the lands belonging  
31020 to his family, unless the certificate of the agent and business  
31021 committee shall declare him competent to take the charge of  
31022 their property; but such persons may negotiate for the sales of  
31023 their property and that of their families, and any contracts for  
31024 sales so made, if certified by the agent and business committee  
31025 to be at reasonable rates, shall be confirmed by the Secretary of  
31026 the Interior, and patents shall issue to the purchaser upon full  
31027 payment; and all payments for such land shall be made to the  
31028 agent, and the funds by him deposited on the first of each month  
31029 in some Government depository, to be designated by the Secretary  
31030 of the Treasury, and triplicate certificates of deposit taken there-  
31031 for, one to be forwarded to the Commissioner of Indian Affairs,  
31032 one to be retained at the agency, and the third to be sent to the  
31033 superintendent of Indian affairs for Kansas; after which deposit  
31034 the United States will be responsible for said funds until drawn  
31035 out for use as hereinafter provided, and the bonds of the agent  
31036 shall be increased to a sufficient amount to cover his increased  
31037 liabilities under this section.

31038       ARTICLE 5. The moneys received and deposited as provided  
31039 in the preceding article shall be retained until the party on whose  
31040 behalf it is held shall be ready to remove to the new reservation,  
31041 and shall then, or such part thereof as may from time to time be  
31042 necessary, be drawn out, under the direction of the Commis-  
31043 sioner of Indian Affairs, by the agent, and expended for the  
31044 benefit of the owner in providing for his removal and that of  
31045 his family to the new reservation, and in such articles and for  
31046 such uses as may, with the advice of the business committee, be  
31047 deemed for his best interest at his new home.

31048       ARTICLE 6. The provisions of article third of the treaty of

31049 April nineteenth, eighteen hundred and sixty-two (the next pre-  
 31050 ceding) relative to Pottawatomies who desire to become citizens,  
 31051 shall continue in force, with the additional provision that, before  
 31052 patents shall issue and full payments be made to such persons, a  
 31053 certificate shall be necessary from the agent and business commit-  
 31054 tee that the applicant is competent to manage his own affairs; and  
 31055 when computation is made to ascertain the amount of the funds  
 31056 to the tribe to which such applicants are entitled, the amounts  
 31057 invested in the new reservation provided for in the treaty shall  
 31058 not be taken into account; and where any member of the tribe  
 31059 shall become a citizen under the provisions of the said treaty of  
 31060 eighteen hundred and sixty-two, the families of said parties  
 31061 shall also be considered as citizens, and the head of the family  
 31062 shall be entitled to patents and the proportional share of funds  
 31063 belonging to his family; and women who are also heads of  
 31064 families, and single women of adult age, may become citizens in  
 31065 the same manner as males.

31066 ARTICLE 7. (Stricken out.)

31067 ARTICLE 8. Where allottees under the treaty of eighteen  
 31068 hundred and sixty-one shall have died, or shall hereafter de-  
 31069 cease, such allottees shall be regarded, for the purpose of a careful  
 31070 and just settlement of their estates, as citizens of the United  
 31071 States, and of the State of Kansas, and it shall be competent  
 31072 for the proper courts to take charge of the settlement of their  
 31073 estates under all the forms and in accordance with the laws of  
 31074 the State, as in the case of other citizens deceased; and in cases  
 31075 where there are children of allottees left orphans, guardians for  
 31076 such orphans may be appointed by the probate court of the  
 31077 county in which such orphans may reside, and such guardians  
 31078 shall give bonds, to be approved by the said court, for the proper  
 31079 care of the person and estate of such orphans, as provided by  
 31080 law.

31081 ARTICLE 9. It is agreed that an examination shall be made  
 31082 of the books of the Indian Office, in order to ascertain what  
 31083 amount is justly due to the Pottawatomies under the provisions  
 31084 of their treaties of eighteen hundred and eighteen and eighteen  
 31085 hundred and twenty-nine, providing for the payment of their  
 31086 annuities in coin, whereas they have been paid for several years  
 31087 in currency; and the result of such examination shall be reported  
 31088 to Congress, and the difference in amount due to said Indians  
 31089 shall be paid to them.

31090 ARTICLE 10. It is further agreed that, upon the presentation  
 31091 to the Department of the Interior of the claims of said tribe for  
 31092 depredations committed by others upon their stock, timber, or  
 31093 other property, accompanied by evidence thereof, examination  
 31094 and report shall be made to Congress of the amount found to be

31095 equitably due, in order that such action may be taken as shall  
31096 be just in the premises.

31097 And it is further agreed that the claims of the Pottawato-  
31098 mies heretofore examined and reported on by the Secretary of  
31099 the Interior under the act of Congress of March two, eighteen  
31100 hundred and sixty-one, shall be submitted to two commissioners,  
31101 to be named by the President of the United States, for exami-  
31102 nation, and said commissioners, after being sworn impartially to  
31103 decide on said claims, shall make report of their judgment in the  
31104 premises, together with the evidence taken, to the Secretary of  
31105 the Interior, and the same shall be communicated to Congress  
31106 at its next session: *Provided*, That no part of the money re-  
31107 ported due by the said commissioners shall be paid until the  
31108 same shall be appropriated by Congress.

31109 ARTICLE 11. The half sections of land heretofore set apart  
31110 for the mission-schools, to wit, those of the St. Mary's mission,  
31111 and the American Baptist mission, shall be granted in fee-simple,  
31112 the former to John F. Diels, John Schoenmaker, and M. Gillaud,  
31113 and the latter to such party as the American Baptist Board of  
31114 Missions shall designate.

31115 And the said John F. Deils, John Shoemaker, and M. Gil-  
31116 laud shall have the right to purchase in a compact body ten  
31117 hundred and thirteen 54-100 acres of the unallotted lands, at the  
31118 price of one dollar per acre, to be paid to the Secretary of the  
31119 Interior, for the use of said tribe, and when the consideration  
31120 shall be paid as aforesaid the President shall issue patents to  
31121 said purchasers therefor; and in selecting said ten hundred and  
31122 thirteen 54-100 acres, said purchasers shall have the preference  
31123 over all other parties.

31124 ARTICLE 12. No provisions of this treaty shall be held to  
31125 apply in such manner as to authorize any interference with the  
31126 exclusive rights in their own lands of those members of the  
31127 tribe who hold their lands in common; but such Indians shall  
31128 be entitled to their share in the ownership of the new reserva-  
31129 tion; and it shall not be necessary at any future time to treat  
31130 with the representatives of the whole people for a cession of the  
31131 lands of those who hold in common, but special treaty arrange-  
31132 ments may be made at any time with the class of persons last  
31133 named for the sale of their lands, and the disposition to be made  
31134 of the proceeds thereof.

31135 ARTICLE 13. All provisions of former treaties inconsistent  
31136 with the provisions of this treaty shall be hereafter null and void.

31137 ARTICLE 14. The expenses of negotiating this treaty shall  
31138 be paid by the United States, not to exceed six thousand dollars.

31139 Proclaimed August 7, 1868.

31140 POTTAWOTTOMIES RESIDING ON THE RIVER IL-  
31141 LINOIS.

31142 *A treaty of peace and friendship made and concluded between Will-*  
31143 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
31144 *sioners plenipotentiary of the United States of America, on the*  
31145 *part and behalf of the said States, of the one part, and the under-*  
31146 *signed chiefs and warriors of the Poutawatamie tribe or nation,*  
31147 *residing on the river Illinois, on the part and behalf of the said*  
31148 *tribe or nation, of the other part.*

31149 The parties, being desirous of re-establishing peace and  
31150 friendship between the United States and the said tribe or na-  
31151 tion, and of being placed, in all things and in every respect, on  
31152 the same footing upon which they stood before the war, have  
31153 agreed to the following articles :

31154 ARTICLE 1. Every injury or act of hostility by one or either  
31155 of the contracting parties against the other, shall be mutually  
31156 forgiven and forgot<sup>l</sup>

31157 ARTICLE 2. There shall be perpetual peace and friendship  
31158 between all the citizens of the United States of America and all  
31159 the individuals composing the said Poutawatamie tribe or na-  
31160 tion.

31161 ARTICLE 3. The contracting parties hereby agree, promise,  
31162 and bind themselves reciprocally to deliver up all the prisoners  
31163 now in their hands (by what means soever the same may have  
31164 come into their possession) to the officer commanding at Fort  
31165 Clarke, on the Illinois River, as soon as it may be practicable.

31166 ARTICLE 4. The contracting parties, in the sincerity of mu-  
31167 tual friendship, recognise, re-establish, and confirm all and every  
31168 treaty, contract, and agreement heretofore concluded between  
31169 the United States and the Poutawatamie tribe or nation.

31170 Ratified December 26, 1815.

31171 POTTAWOTTOMIES OF THE PRAIRIE AND KAN-  
31172 KAKEE.

31173 *Articles of a treaty made and concluded at Camp Tippecanoe, in the*  
31174 *State of Indiana, this twentieth day of October, in the year of*  
31175 *our Lord one thousand eight hundred and thirty-two, between*  
31176 *Jonathan Jennings, John W. Davis, and Marks Crume, com-*  
31177 *missioners, on the part of the United States, of the one part,*  
31178 *and the chiefs and head-men of the Poutawatamie tribe of In-*  
31179 *dians of the Prairie and Kaukakee, of the other part.*

31180 ARTICLE 1. The said Potawatamie tribe of Indians cede to  
SS I T

31181 the United States the tract of land included within the follow-  
31182 ing boundary, viz :

31183       Beginning at a point on Lake Michigan ten miles southward  
31184 of the mouth of Chicago River; thence, in a direct line, to a  
31185 point on the Kaukakee River ten miles above its mouth;  
31186 thence, with said river and the Illinois River, to the mouth of  
31187 Fox River, being the boundary of a cession made by them in  
31188 1816; thence, with the southern boundary of the Indian Ter-  
31189 ritory, to the State line between Illinois and Indiana; thence,  
31190 north, with said line, to Lake Michigan; thence, with the shore  
31191 of Lake Michigan, to the place of beginning.

31192       ARTICLE 2. From the cession aforesaid the following tracts  
31193 shall be reserved, to wit:

31194       Five sections for Shaw-waw-nas-see, to include Little Rock  
31195 Village.

31196       For Min-e-maung, one section, to include his village.

31197       For Joseph Laughton, son of Wais-ke-shaw, one section;  
31198 and for Ce-na-ge-wine, one section; both to be located at Twelve  
31199 Mile Grove, or Na-be-na-qui-nong.

31200       For Claude Laframboise, one section, on Thorn Creek.

31201       For Maw-te-no, daughter of Francois Bourbonnois, jun., one  
31202 section, at Soldier's Village.

31203       For Catish, wife of Francis Bourbonnois, sen., one section,  
31204 at Soldier's Village.

31205       For the children of Wais-ke-shaw, two sections, to include  
31206 the small grove of timber on the river above Rock Village.

31207       For Jean B. Chevallier, one section, near Rock Village; and  
31208 for his two sisters, Angelique and Josette, one half-section each,  
31209 joining his.

31210       For Me-she-ke-ten-o, two sections, to include his village.

31211       For Francis Le Via, one section, joining Me-she-ke-ten-o.

31212       For the five daughters of Mo-nee, by her last husband,  
31213 Joseph Bailey, two sections.

31214       For Me-saw-ke-qua and her children, two sections, at Wais-  
31215 us-kucks's Village.

31216       For Sho-bon-ier, two sections, at his village.

31217       For Josette Beaubien and her children, two sections, to be  
31218 located on Hickory Creek.

31219       For Therese, wife of Joseph Laframboise, one section; and  
31220 for Archange Pettier, one section, both at Skunk Grove.

31221       For Mau-i-to-qua and son, one half-section each; for the  
31222 children of Joseph Laframboise, one section, at Skunk Grove.

31223       For Washington Bourbonnois, one section, joining his moth-  
31224 er's reservation, (Calish Bourbonnois.)

31225       For Ah-be-te-kezhic, one section, below the State-line on the  
31226 Kaukakee River.

31227 For Nancy, Sally, and Betsey Countreman, children of En-  
 31228 do-ga, one section, joining the reserves near Rock Village.

31229 For Jacque Jonveau, one section, near the reservation of  
 31230 Me-she-ke-ten-o.

31231 For Wah-pon-seh and Qua-qui-to, five sections each, in the  
 31232 prairie near Rock Village.

31233 The persons to whom the foregoing reservations are made,  
 31234 are all Indians and of Indian descent.

31235 ARTICLE 3. In consideration of the cession in the first  
 31236 article, the United States agree to pay to the aforesaid Potawa-  
 31237 tamie Indians an annuity of fifteen thousand dollars for the term  
 31238 of twenty years. Six hundred dollars shall be paid annually to  
 31239 Billy Caldwell, two hundred dollars to Alexander Robinson, and  
 31240 two hundred dollars to Pierre Le Clerc, during their natural  
 31241 lives.

31242 ARTICLE 4. The sum of twenty-eight thousand seven hun-  
 31243 dred and forty-six dollars shall be applied to the payment of  
 31244 certain claims against the Indians, agreeably to a schedule of  
 31245 the said claims hereunto annexed.

31246 The United States further agree to deliver to the said In-  
 31247 dians forty-five thousand dollars in merchandize immediately  
 31248 after signing this treaty; and, also, the further sum of thirty  
 31249 thousand dollars in merchandize is hereby stipulated to be paid  
 31250 to them, at Chicago, in the year 1833.

31251 There shall be paid by the United States the sum of one  
 31252 thousand four hundred dollars to the following-named Indians,  
 31253 for horses stolen from them during the late war, as follows, to  
 31254 wit:

31255	To Pe-quo-no, for two horses, eighty dollars.....	\$80 00
31256	To Pa-ca-cha-be, for two ditto, eighty dollars.....	80 00
31257	To Shaw-wa-nas-see, for one ditto, forty dollars ....	40 00
31258	To Francis Sho-bon-nier, for three ditto, one hundred	
31259	and twenty dollars.....	120 00
31260	To Sho-bon-ier, or Cheval-ier, for one ditto, forty	
31261	dollars .....	40 00
31262	To Naw-o-kee, for one ditto, forty dollars.....	40 00
31263	To Me-she-ke-ten-o, for one ditto, forty dollars.....	40 00
31264	To Aun-take, for two horses, eighty dollars.....	80 00
31265	To Che-chalk-ose, for one ditto, forty dollars.....	40 00
31266	To Naa-a-gue, for two ditto, eighty dollars.....	80 00
31267	To Pe-she-ka-of-le-beouf, one ditto, forty dollars....	40 00
31268	To Naw-ca-a-sho, for four ditto, one hundred and sixty	
31269	dollars .....	160 00
31270	To Nox-sey, for one ditto, forty dollars.....	40 00
31271	To Ma-che-we-tah, for three ditto, one hundred and	
31272	twenty dollars.....	120 00

31273	To Masco, for one ditto, forty dollars.....	\$40 00
31274	To Wah-pou-seh, for one horse, forty dollars .....	40 00
31275	To Waub-e-sai, for three ditto, one hundred and	
31276	twenty dollars.....	120 00
31277	To Chi-cag, for one ditto, forty dollars.....	40 00
31278	To Mo-swah-en-wah, one ditto, forty dollars.....	40 00
31279	To She-bon-e-go, one ditto, forty dollars.....	40 00
31280	To Saw-saw-wais-kuk, for two ditto, eighty dollars..	80 00
31281	The said tribe having been the faithful allies of the United	
31282	States during the late conflict with the Sacs and Foxes, in con-	
31283	sideration thereof the United States agree to permit them to	
31284	hunt and fish on the lands ceded, as also on the lands of the	
31285	Government on Wabash and Sangamon Rivers so long as the	
31286	same shall remain the property of the United States.	
31287	After the signing of this treaty, and at the request of the	
31288	Indians, three thousand dollars was applied to the purchasing of	
31289	horses; which were purchased and delivered to the Indians by	
31290	our direction, leaving the ballance to be paid in merchandize at	
31291	this time, forty-two thousand dollars.	
31292	It is agreed, on the part of the United States, that the fol-	
31293	lowing claims shall be allowed, agreeably to the fourth article of	
31294	the foregoing treaty, viz :	
31295	To Gurdon S. Hubbard, five thousand five hundred and	
31296	seventy-three dollars.	
31297	Samuel Miller, seven hundred and ninety dollars.	
31298	John Bt. Bobea, three thousand dollars.	
31299	Robert A. Kinzie, four hundred dollars.	
31300	Jacque Jombeaux, one hundred and fifty dollars.	
31301	Jacque Jombeaux, senior, fifteen hundred dollars.	
31302	Medad B. Bobeaux, five hundred and fifty dollars.	
31303	Noel Vasier, eighteen hundred dollars.	
31304	Joseph Balies, twelve hundred and fifty dollars.	
31305	Joseph Shawnier, one hundred and fifty dollars.	
31306	Thomas Hartzell, three thousand dollars.	
31307	Bernardus H. Lawton, three thousand five hundred dollars.	
31308	George Walker, seven hundred dollars.	
31309	Stephen J. Scott, one hundred dollars.	
31310	Cole Weeks, thirty-eight dollars.	
31311	Timothy B. Clark, one hundred dollars.	
31312	George Pettijohn, fifty dollars.	
31313	Thomas Forsyth, five hundred dollars.	
31314	Antoine Le Clerc, fifty-five dollars.	
31315	James B. Campbell, fifty-three dollars.	
31316	John W. Blackstone, sixty dollars.	
31317	Alexander Robinson, ninety-one dollars.	
31318	Francis Bulbona, jr., one thousand dollars.	

- 81319 John Bt. Chevalier, six hundred and sixty dollars.
- 31320 Joseph La Frombois, four hundred and forty-one dollars.
- 31321 Leon Bourasau, eight hundred dollars.
- 31322 Peter Menard, jr., thirty-seven dollars.
- 31323 Joseph Shoemaker, eighteen dollars.
- 31324 Tunis S. Wendell, one thousand dollars.
- 31325 F. H. Countraman, forty dollars.
- 31326 Samuel Morris, one hundred and forty dollars.
- 31327 William Conner, two thousand dollars.
- 31328 John B. Bourie, twelve hundred dollars.
- 31329 Proclaimed January 21, 1833.

31330 POTTAWOTTOMIES OF THE STATE OF INDIANA AND  
31331 TERRITORY OF MICHIGAN.

- 31332 *Articles of a treaty made and concluded on the Tippecanoe River,*
- 31333 *in the State of Indiana, on the twenty-seventh day of October,*
- 31334 *in the year of our Lord eighteen hundred and thirty-two, be-*
- 31335 *tween Jonathan Jennings, John W. Davis, and Marks Crume,*

- 31336 *commissioners on the part of the United States, and the chiefs*
- 31337 *and warriors of the Potowatomies of the State of Indiana and*
- 31338 *Michigan Territory.*

- 31339 ARTICLE 1. The chiefs and warriors aforesaid cede to the
- 31340 United States their title and interest to lands in the States of
- 31341 Indiana and Illinois, and in the Territory of Michigan, south of
- 31342 Grand River.

- 31343 ARTICLE 2. From the cession aforesaid the following re-
- 31344 servations are made, to wit: The reservation at Po-ca-gan's vil-
- 31345 lage for his band, and a reservation for such of the Potowatomies
- 31346 as are resident at the village of Notta-we-sipa, agreeably to the
- 31347 treaties of the nineteenth of September, eighteen hundred and
- 31348 twenty-seven, and twentyeth of September, 1828.

- 31349 For the band of Kin-Kash, four sections.

- 31350 For O-ca-chee, one section.

- 31351 For the band Mes-qua-buck, four sections, to include his
- 31352 village.

- 31353 For the band of Che-kase, four sections, to include his
- 31354 village.

- 31355 For the band of Che-Chaw-kose, ten sections, to include his
- 31356 village.

- 31357 For the Potowatomies, two sections, to include their mills
- 31358 on Tippecanoe River.

- 31359 For the band of To-i-sas brother Me-mot-way, and Che-quam-  
 31360 ka-ko, ten sections, to include their village.  
 31361 For the band of Ma-sac, four sections.  
 31362 For the band of Ash-kum and Wee-si-o-nas, sixteen sections,  
 31363 to include their village.  
 31364 For the band of Wee-sau, five sections of land, including  
 31365 one section granted to him by the treaty of eighteen hundred and  
 31366 twenty-eight, and to include his present residence.  
 31367 For the bands of Mo-ta and Men-o quet, four sections each,  
 31368 to include their villages.  
 31369 For Be-si-ah, four sections.  
 31370 ARTICLE 3. The United States agree to grant to each of the  
 31371 following persons the quantity of land annexed to their names,  
 31372 which land shall be conveyed to them by patent:  
 31373 For Mon-i-taw-quah, daughter of Swa-gaw, one section, to  
 31374 include Wi-me-gos village.  
 31375 For Wee-saw, three sections.  
 31376 For Po-quia, the sister of Jose, one section.  
 31377 For Ben-ack, eight sections.  
 31378 For Ursule Du-quin-dre, one section.  
 31379 For Ge-neir, one section.  
 31380 To To-pen-ne-bee, principal chief, one section.  
 31381 To Poch-a-gan, second chief, one section.  
 31382 To Pet-chi-co, two sections.  
 31383 To Sau-gana, one section.  
 31384 To Louis Barnett, one section.  
 31385 To Mam-qua, daughter of Sau-ga-na, one section.  
 31386 To Mish-a-wa, adopted daughter of Pit-e-chew, one section.  
 31387 To Kesis Shadana, one section.  
 31388 To Louis Chadana, one half section.  
 31389 To Charles Chadana, one half-section.  
 31390 To John B. Chadana, one section.  
 31391 To Pier Navarre's wife, one section.  
 31392 To John B. Ducharm, one section.  
 31393 To Mie-saw-bee, one quarter-section.  
 31394 To Baptiste L. Clare, one half-section.  
 31395 To Mary Lacombe's children, one half-section.  
 31396 To Joseph Bertrand's, jr., children, one half-section jointly.  
 31397 To Francis Page, jr., one half-section.  
 31398 To Alexander Rollane, a half-blood, one half-section.  
 31399 To Re-re-mo-sau, (alias) Panish, one section and one half-  
 31400 section, on the McCou, on the river Raison, in the Michigan  
 31401 Territory, which was reserved to his use at St. Joseph's treaty,  
 31402 of eighteen hundred and twenty-eight.  
 31403 To Mary Nedeau, one quarter-section.  
 31404 To Saw-grets, son of Pier Moran, one half-section.

- 31405 To Isadore Mo-mence and Wa-be-ga, sons of Pier Morans,
- 31406 one quarter-section each.
- 31407 To Poch-a-gan's wife, one section.
- 31408 To Pet-qua and Kee-see, sons of Ma-kee-sa-be, one half-sec-
- 31409 tion.
- 31410 To Pe-nem-chis, one half-section.
- 31411 To Neu-a-tau-naut, one half-section.
- 31412 To Francis de Jean, one section.
- 31413 To Mary Ann Ben-ack, wife of Edward McCartney, three
- 31414 sections of land, to be located on the south side of the Turkey
- 31415 Creek Prairie.
- 31416 For Francis Besion, one half-section.
- 31417 For Miss-no-qui, a chieftess, four sections.
- 31418 For Luther Rice, one quarter-section.
- 31419 For Med-lin Aucharm, one quarter-section.
- 31420 For Sheapoo Truckey, one section.
- 31421 For Ju-be Actrois, one section.
- 31422 For Ash-kum, two sections.
- 31423 For Pee-pees-kah, one section.
- 31424 For Po-ka-kause, one half-section.
- 31425 For Nas-wau-kee, one section.
- 31426 For Man-me-nass, one half-section.
- 31427 For Paul Longlois, one half-section.
- 31428 For Peter Longlois, junr., one half-section.
- 31429 For Shaw-bo-wah-tuck, one quarter-section.
- 31430 For Betsey Rousau, one quarter-section.
- 31431 For John Davis, one half-section.
- 31432 For Nancy Cicott, one quarter-section.
- 31433 For Amelia Cicott, one quarter-section.
- 31434 For Lazette Allen, one quarter-section.
- 31435 For Polly Griffith, daughter of Ne-bosh, two sections.
- 31436 For Chop-y-tuck, or John Payne, one section.
- 31437 For Joe Borisau, one quarter-section.
- 31438 For Quash-mau, one quarter section.
- 31439 For Mas-co, one quarter-section.
- 31440 For Mis-sink-qu-quah, six sections.
- 31441 For Aub-e-naub-bee, ten sections.
- 31442 For Nee-kaw Dizzardee, one quarter-section.
- 31443 For Mog-see, one half-section.
- 31444 To Kaubee, one half-section.
- 31445 To old Ann Mac-i-to, one half-section.
- 31446 To old Wee-saw, one half-section.
- 31447 To Pe-te-no-on, one half-section.
- 31448 To Tou-se-qua, the wife of Joe Baily, one section.
- 31449 To Au-taw co-num, daughter of the Crane, one section.
- 31450 To Sen-niss-quah and her daughter Nancy, two sections.

31451 To James Burnett, one section.

31452 To To-gah, a Potawatomie woman, one quarter-section.

31453 To Mary Ann Bruner, one quarter-section.

31454 The foregoing reservations shall be selected, under the di-  
31455 rection of the President of the United States, after the lands  
31456 shall have been surveyed and the boundaries to correspond with  
31457 the public surveys.

31458 ARTICLE 4. In consideration of the aforesaid cession the  
31459 United States will pay fifteen thousand dollars annually for  
31460 twelve years; thirty-two thousand dollars in goods will be paid as  
31461 soon after the signing of these articles as they can be procured,  
31462 and ten thousand dollars in goods will be paid next spring at  
31463 Notta-wa-si-pa, and to be paid to that band, and pay their just  
31464 debts, agreeably to a schedule hereunto annexed, amounting to  
31465 twenty thousand seven hundred and twenty-one dollars.

31466 The section of land granted by the treaty of St. Joseph to  
31467 To-pe-nau-koung, wife of Peter Longlois, shall be purchased by  
31468 the United States, if the same can be done for the sum of eight  
31469 hundred dollars.

31470 The United States agree to appropriate, for the purposes of  
31471 educating Indian youths, the annual sum of two thousand dol-  
31472 lars, as long as the Congress of the United States may think  
31473 proper, to be expended as the President may direct.

31474 This treaty shall take effect and be obligatory on the con-  
31475 tracting parties as soon as the same shall have been ratified by  
31476 the President of the United States, by and with the advice and  
31477 consent of the Senate.

31478 After the signing of this treaty, and at the request of the  
31479 Indians, two thousand seven hundred dollars were applied to  
31480 the purchasing of horses, which were purchased and delivered  
31481 to the Indians under our direction, leaving the sum to be paid  
31482 in merchandise at this time twenty-nine thousand three hundred  
31483 dollars.

31484 It is agreed on the part of the United States that he fol-  
31485 lowing claims shall be allowed, agreeable to the fourth article of  
31486 the foregoing treaty, viz:

31487 To Erasmus Winslow, three hundred dollars.

31488 Squire Thompson, one hundred dollars.

31489 L. Johnson, three hundred and seventy-five dollars.

31490 Francis Comperret, two thousand four hundred and fifty  
31491 dollars.

31492 Ica Rice, fifteen hundred dollars.

31493 T. P. and J. J. Godfroy, two hundred and fifty dollars.

31494 Joseph Smith, twenty-six dollars.

31495 James Aveline, ninety-eight dollars.

31496 Edward Smith, forty-seven dollars.

- 31497 Gustavus A. Everts, two hundred dollars.  
 31498 Alexis Coquillard, five thousand one hundred dollars.  
 31499 Lathrop M. Taylor, two thousand two hundred and eighty  
 31500 dollars.  
 31501 Peter and J. J. Godfroy, three thousand five hundred dol-  
 31502 lars.  
 31503 R. A. Forsyth, eighteen hundred dollars.  
 31504 Louis Dupuis, forty dollars.  
 31505 Timothy S. Smith, three hundred and ninety dollars.  
 31506 William Huff, one hundred dollars.  
 31507 Thomas Jones, two hundred and seventy-five dollars.  
 31508 Michael Cadieux, four hundred and ninety dollars.  
 31509 Arthur Patterson, nine hundred dollars.  
 31510 Samuel McGeorge, three hundred and fifty dollars.  
 31511 D. H. Colerick, one hundred and fifty dollars.  
 31512 James Conner, one thousand dollars.  
 31513 Proclaimed January 21, 1833.

31514 POTTAWOTOMIES—CAM-O-ZA, CHIEF.

- 31515 *Articles of a treaty made and concluded at a camp on Lake*  
 31516 *Max-ee-nie-kue-kee, in the State of Indiana, between William*  
 31517 *Marshall, commissioner on the part of the United States, and*  
 31518 *Com-o-za, a chief of the Potawattimie tribe of Indians, and his*  
 31519 *band, on the fourth day of December, in the year eighteen hun-*  
 31520 *dred and thirty-four.*

- 31521 ARTICLE 1. The above-named chief and his band hereby  
 31522 cede to the United States the two sections of land reserved for  
 31523 them by the 2d article of the treaty between the United States  
 31524 and the Pottawattimie Indians on Tippecanoe River on the  
 31525 26th day of October, in the year eighteen hundred and thirty-  
 31526 two.

- 31527 ARTICLE 2. The above-named chief and his band agree to  
 31528 yield peaceable possession of said sections within three years  
 31529 from the date of the ratification of said treaty of eighteen hun-  
 31530 dred and thirty-two.

- 31531 ARTICLE 3. In consideration of the cession aforesaid the  
 31532 United States stipulate to pay the above-named chief and his  
 31533 band the sum of four hundred dollars in goods at the signing of  
 31534 this treaty, and an annuity of four hundred dollars for one year,  
 31535 the receipt of which former sum of (four hundred dollars in  
 31536 goods) is hereby acknowledged.

- 31537 ARTICLE 4. This treaty shall be binding upon both parties  
 31538 from the date of its ratification by the President and Senate of  
 31539 the United States.

- 31540 Proclaimed March 16, 1835.

31541

## POTTAWOTTOMIES—MUCK-ROSE, CHIEF.

31542 *Articles of a treaty made and concluded at a camp on Tippecanoe*  
 31543 *River, in the State of Indiana, between William Marshall,*  
 31544 *commissioner on the part of the United States, and Muck-Rose,*  
 31545 *a chief of the Potawattamie tribe of Indians, and his band, on*  
 31546 *the tenth day of December, in the year eighteen hundred and*  
 31547 *thirty-four.*

31548 ARTICLE 1. The above-named chief and his band hereby  
 31549 cede to the United States six sections of land reserved for them  
 31550 by the second article of the treaty between the United States  
 31551 and the Pottawattamie Indians on Tippecanoe River on the  
 31552 twenty-sixth day of October, in the year eighteen hundred and  
 31553 thirty-two.

31554 ARTICLE 2. The above-named chief and his band agree to  
 31555 yield peaceable possession of the said sections of land to the  
 31556 United States within three years from the date of the ratifica-  
 31557 tion of said treaty of eighteen hundred and thirty-two.

31558 ARTICLE 3. In consideration of the cession aforesaid the  
 31559 United States stipulate to pay to the above-named chief and his  
 31560 band four hundred dollars in goods at the signing of this treaty,  
 31561 and an annuity of one thousand dollars for two years, the  
 31562 receipt of which former sum of (four hundred dollars in goods)  
 31563 is hereby acknowledged.

31564 ARTICLE 4. This treaty shall be binding upon both parties  
 31565 from the date of its ratification by the President and Senate  
 31566 of the United States.

31567 Proclaimed March 16. 1835.

31568

## POTTAWATTOMIES—MOTA, CHIEF.

31569 *Articles of a treaty made and concluded at the Indian agency, Lo-*  
 31570 *gansport, Indiana, between William Marshall, commissioner*  
 31571 *on the part of the United States, and Mota, a chief of the Po-*  
 31572 *tawattimie tribe of Indians, and his band, on the 17th day of*  
 31573 *December, in the year eighteen hundred and thirty-four.*

31574 ARTICLE 1. The above-named chief and his band hereby  
 31575 cede to the United States the four sections of land reserved for  
 31576 them by the second article of the treaty between the United  
 31577 States and the Potawattimie Indians on the twenty-seventh day  
 31578 of October, in the year eighteen hundred and thirty-two.

31579 ARTICLE 2. The above-named chief and head-men and their

band do hereby agree to yield peaceable possession of said sections, and to remove, with their families, to a country provided for them by the United States west of the Mississippi River within three years or less from the date of the ratification of said treaty of eighteen hundred and thirty-two.

ARTICLE 3. The United States, in consideration of the cession made in the first article of this treaty, do hereby stipulate to remove the above-named chief and head-men and their bands to the new country provided for them, and to furnish them either goods, farming-utensils, or other articles necessary for them, agreeably to the provisions of the fifth article of the treaty of October twenty-sixth, eighteen hundred and thirty-two.

ARTICLE 4. The United States further stipulate to pay to the above-named chief and head-men and their bands the sum of six hundred and eighty dollars in goods at the signing of this treaty, and the further sum of six hundred dollars in cash at the payment of their annuities in 1835, the receipt of which former sum of (six hundred and eighty dollars in goods) is hereby acknowledged.

ARTICLE 5. This treaty shall be binding upon both parties, from the date of its ratification by the Senate of the United States.

Proclaimed March 16, 1835.

#### POTTAWOTTOMIES—MES-QUAW-BUCK, CHIEF.

*Articles of a treaty made and concluded at camp in Turkey Creek Prairie, in the State of Indiana, between Abel C. Pepper, a commissioner of the United States, and Mes-quaw-buck, a chief of the Pottawatamy tribe of Indians, and his band, on twenty-sixth day of March, in the year eighteen hundred and thirty-six.*

ARTICLE 1. The above-named chief and his band hereby cede to the United States the four sections of land reserved for them by the second article of the treaty between the United States and the Pottawatamy Indians on Tippecanoe River on the twenty-seventh day of October, 1832.

ARTICLE 2. In consideration of the cession aforesaid the United States stipulate to pay the above-named chief and his band the sum of twenty-five hundred and sixty dollars in specie at the next payment of annuity after the ratification of this treaty.

ARTICLE 3. The United States stipulate to provide for the

31620 payment of the necessary expenses attending the making and  
31621 concluding this treaty.

31622 ARTICLE 4. The above-named chief and his band agree to  
31623 yield peaceable possession of the above sections of land and re-  
31624 move to the country west of the Mississippi provided for the  
31625 Pottawatamy Nation by the United States within two years  
31626 from this date.

31627 ARTICLE 5. This treaty shall be binding upon both parties  
31628 from the date of its ratification by the President and Senate of  
31629 the United States.

31630 Proclaimed June 4, 1836.

31631 POTTAWATTOMIES—WAU-KE-WA, CHE-COSE'S ONLY  
31632 SON, A CHIEF.

31633 *Articles of a treaty made and concluded on Tippecanoe River, in*  
31634 *the State of Indiana, between Abel C. Pepper, commissioner on*  
31635 *the part of the United States, and Wau-ke-wa, Che-cose's only*  
31636 *son, a Pottawatamy chief, and his band, on the twenty-ninth*  
31637 *day of March, eighteen hundred and thirty-six.*

31638 ARTICLE 1. The above-named chief and his band hereby  
31639 cede to the United States the four sections of land reserved for  
31640 them by the second article of the treaty between the United  
31641 States and the Pottawatamy Indians.

31642 ARTICLE 2. The above-named chief and his band agree to  
31643 yield peaceable possession of said land within three months from  
31644 this date, and to remove to the country provided for the Potta-  
31645 watamy Nation west of the Mississippi River within two years.

31646 ARTICLE 3. In consideration of the cession aforesaid the  
31647 United States stipulate to pay the above-named chief and his  
31648 band twenty-five hundred and sixty dollars in specie at the first  
31649 payment of annuity after the ratification of this treaty.

31650 ARTICLE 4. The United States stipulate to provide for the  
31651 payment of the necessary expenses attending the making and  
31652 concluding this treaty.

31653 ARTICLE 5. This treaty shall be binding upon both the  
31654 parties from the date of its ratification by the President and  
31655 Senate of the United States.

31656 Proclaimed June 4, 1836.

## 31657 POTTAWATTOMIES—PAU-KOO-SHUCK, CHIEF, ETC.

31658 *Articles of a treaty made and concluded at a camp on Tippecanoe*  
 31659 *River, in the State of Indiana, between Abel C. Pepper, com-*  
 31660 *missioner on the part of the United States, and Pau-koo-shuck,*  
 31661 *Aub-ba-naub-ba's oldest son, and the head-men of Aub-ba-*  
 31662 *naub-ba's band of Potawattimie Indians, this eleventh day of*  
 31663 *April, in the year eighteen hundred and thirty-six.*

31664 ARTICLE 1. The aforesaid Pau-koo-shuck and the head-men  
 31665 of Aub-ba-naub-ba's band hereby cede to the United States the  
 31666 thirty-six sections of land reserved for them by the second article  
 31667 of the treaty between the United States and the Potawattimie  
 31668 Indians on Tippecanoe River on the twenty-sixth day of Octo-  
 31669 ber, in the year eighteen hundred and thirty-two.

31670 ARTICLE 2. In consideration of the cession aforesaid the  
 31671 United States stipulate to pay to the aforesaid band the sum of  
 31672 twenty-three thousand and forty dollars in specie, one-half at the  
 31673 first payment of annuity after the ratification of this treaty, and  
 31674 the other half at the succeeding payment of annuity.

31675 ARTICLE 3. The above-named Pau-koo-shuck and his band  
 31676 agree to remove to the country west of the Mississippi River  
 31677 provided for the Potawattimie Nation by the United States  
 31678 within two years.

31679 ARTICLE 4. This treaty, after the same shall be ratified by  
 31680 the President and Senate of the United States, shall be binding  
 31681 upon both parties.

31682 Proclaimed May 25, 1836.

## 31683 POTTAWOTTOMIES—O-KAH-MAUSE, CHIEF, ETC.

31684 *Articles of a treaty made and concluded at the Indian agency in*  
 31685 *the State of Indiana, between Abel C. Pepper, commissioner on*  
 31686 *the part of the United States, and O-kah-mause, Kee-war-nay,*  
 31687 *Nee-boash, and Mat-chis-jaw, chiefs and head-men of the Pata-*  
 31688 *wattimie tribe of Indians, and their bands, on the twenty-second*  
 31689 *day of April, in the year eighteen hundred and thirty-six.*

31690 ARTICLE 1. The above-named chiefs and head-men and  
 31691 their bands hereby cede to the United States ten sections of  
 31692 land reserved for them by the second article of the treaty be-  
 31693 tween the United States and the Patawattimie tribe of Indians

31694 on Tippecanoe River on the 26th day of October, in the year  
31695 1832.

31696 ARTICLE 2. In consideration of the cession aforesaid the  
31697 United States stipulate to pay to the above-named chiefs and  
31698 head-men and their bands the sum of six thousand four hun-  
31699 dred dollars at the first payment of annuity after the ratifica-  
31700 tion of this treaty.

31701 ARTICLE 3. The above-named chiefs and head-men and  
31702 their bands agree to remove to the country west of the Missis-  
31703 sippi River provided for the Patawattimie Nation by the United  
31704 States within two years.

31705 ARTICLE 4. The United States stipulate to provide for the  
31706 payment of the necessary expenses attending the making and  
31707 concluding this treaty.

31708 ARTICLE 5. This treaty, after the same shall be ratified by  
31709 the President and Senate of the United States, shall be binding  
31710 upon both parties.

31711 Proclaimed May 25, 1836.

31712 POTTAWOTTOMIES—NAS-WAW-KEE, ETC., CHIEFS.

31713 *Articles of a treaty made and concluded at the Indian agency in*  
31714 *the State of Indiana, between Abel C. Pepper, commissioner on*  
31715 *the part of the United States, and Nas-waw-kee and Quash-*  
31716 *quaw, chiefs and head-men of the Patawattimie tribe of In-*  
31717 *dians, and their bands, on the 22d day of April, 1836.*

31718 ARTICLE 1. The above-named chiefs and head-men and  
31719 their bands hereby cede to the United States three sections of  
31720 land reserved for them by the second article of the treaty be-  
31721 tween the United States and the Patawattimie tribe of Indians  
31722 on Tippecanoe River on the 26th day of October, 1832.

31723 ARTICLE 2. In consideration of the cession aforesaid the  
31724 United States stipulate to pay the above chiefs and head-men  
31725 and their bands nineteen hundred and twenty dollars at the  
31726 first payment of annuity after the ratification of this treaty.

31727 ARTICLE 3. The above-named chiefs and head-men and  
31728 their bands agree to give possession of the aforesaid three sec-  
31729 tions of land and remove to the country west of the Mississippi  
31730 River provided by the United States for the Potawattimie Nation  
31731 of Indians within two years from this date.

31732 ARTICLE 4. The United States stipulate to provide for the  
31733 payment of the necessary expenses attending the making and  
31734 concluding this treaty.

31735 ARTICLE 5. This treaty, after the same shall be ratified by  
 31736 the President and Senate of the United States, shall be binding  
 31737 upon both parties.

31738 Proclaimed May 25, 1836.

31739 POTTAWOTTOMIES—TO-I-SA'S BROTHER, ETC.,  
 31740 CHIEFS.

31741 *Articles of a treaty made and concluded at Chippewanaung, in the*  
 31742 *State of Indiana, between Abel C. Pepper, commissioner on the*  
 31743 *part of the United States, and To-i-sa's brother, Me-mat-way,*  
 31744 *and Che-quaw-ka-ko, chiefs and head-men of the Patawattimie*  
 31745 *tribe of Indians, and their band, on the twentieth day of Sep-*  
 31746 *tember, in the year eighteen hundred and thirty-six.*

31747 ARTICLE 1. The above-named chiefs and head-men and  
 31748 their band hereby cede to the United States ten sections of  
 31749 land reserved for them by the second article of the treaty be-  
 31750 tween the United States and the Patawattimie tribe of Indians  
 31751 on Tippecanoe River on the 27th day of October, in the year  
 31752 1832.

31753 ARTICLE 2. In consideration of the cession aforesaid the  
 31754 United States stipulate to pay the above-named chiefs and  
 31755 head-men and their band the sum of eight thousand dollars on  
 31756 or before the first day of May next.

31757 ARTICLE 3. The above-named chiefs and head-men and  
 31758 their band agree to remove to the country west of the Missis-  
 31759 sippi River provided for the Patawattimie Nation by the United  
 31760 States within two years.

31761 ARTICLE 4. At the request of the above-named band it is  
 31762 stipulated that after the ratification of this treaty the United  
 31763 States shall appoint a commissioner, who shall be authorized to  
 31764 pay such debts of the said band as may be proved to his satis-  
 31765 faction to be just, to be deducted from the amount stipulated  
 31766 in the second article of this treaty.

31767 ARTICLE 5. The United States stipulate to provide for the  
 31768 payment of the necessary expenses attending the making and  
 31769 concluding this treaty.

31770 ARTICLE 6. This treaty, after the same shall be ratified by  
 31771 the President and Senate of the United States, shall be binding  
 31772 upon both parties.

31773 Proclaimed February 18, 1837.

## 31774 POTTAWOTTOMIES—PE-PIN-A-WAW, ETC., CHIEFS.

31775 *Articles of a treaty made and concluded at a camp near Yellow*  
 31776 *River, in the State of Indiana, between Abel C. Pepper, com-*  
 31777 *missioner on the part of the United States, and Pe-pin-a-waw,*  
 31778 *No-taw-kah, & Mac-kah-tah-mo-ah, chiefs and head-men of the*  
 31779 *Potawattimie tribe of Indians, and their bands, on the fifth*  
 31780 *day of August, in the year eighteen hundred and thirty-six.*

31781 ARTICLE 1. The above-named chiefs and head-men and  
 31782 their bands hereby cede to the United States twenty-two sec-  
 31783 tions of land, reserved for them by the second article of the  
 31784 treaty between the United States and the Potawattimie tribe of  
 31785 Indians, on Tippecanoe River, on the twenty-sixth day of Octo-  
 31786 ber, in the year eighteen hundred and thirty-two.

31787 ARTICLE 2. In consideration of the cession aforesaid the  
 31788 United States stipulate to pay to the above-named chiefs and  
 31789 head-men and their bands the sum of fourteen thousand and  
 31790 eighty dollars in specie after the ratification of this treaty, and  
 31791 on or before the first day of May next ensuing the date hereof.

31792 ARTICLE 3. The above-named chiefs and head-men and their  
 31793 bands agree to remove to the country west of the Mississippi  
 31794 River provided for the Potawattimie Nation by the United States  
 31795 within two years.

31796 ARTICLE 4. At the request of the above-named band it is  
 31797 stipulated that after the ratification of this treaty the United  
 31798 States shall appoint a commissioner, who shall be authorized to  
 31799 pay such debts of the said band as may be proved to his satis-  
 31800 faction to be just, to be deducted from the amount stipulated in  
 31801 the second article of this treaty.

31802 ARTICLE 5. The United States stipulate to provide for the  
 31803 payment of the necessary expences attending the making and  
 31804 concluding this treaty.

31805 ARTICLE 6. This treaty, after the same shall be ratified by  
 31806 the President and Senate of the United States, shall be binding  
 31807 upon both parties.

31808 Proclaimed February 18, 1837.

31809

## POTTAWATTOMIES OF THE WABASH.

31810 *Articles of a treaty made and concluded at Chippe-way-naung, in*  
 31811 *the State of Indiana, on the twenty-third day of September, in*  
 31812 *the year one thousand eight hundred and thirty-six, between*  
 31813 *Abel C. Pepper, commissioner on the part of the United States,*  
 31814 *and the chiefs, warriors, and head-men of the Potawattamie*  
 31815 *Indians of the Wabash.*

31816 ARTICLE 1. The chiefs, warriors, and head-men of the Pota-  
 31817 wattamies of the Wabash hereby cede to the United States, all  
 31818 the land belonging to the said tribe in the State of Indiana, and  
 31819 designated in the treaty of 1832, (proclaimed January 21, 1833,)  
 31820 (between Jonathan Jennings, John W. Davis, and Marks Crume,  
 31821 commissioners of the United States, and the chiefs and warriors  
 31822 of the Potawattimies of the State of Indiana and Michigan  
 31823 Territory,) as reservations for the use of the following bands, viz:  
 31824 For the band of Kin-krash, four sections..... 4 sec.  
 31825 For the band of Che-chaw-kose, ten sections..... 10 do.  
 31826 For the band of Ash-kum and Wee-si-o-nas, sixteen sec-  
 31827 tions..... 16 do.  
 31828 For the band of We-saw, four sections..... 4 do.  
 31829 For the band of Mo-ta, four sections..... 4 do.  
 31830 For the bands of Mi-no-quet, four sections..... 4 do.

31831

31832

42

31833 ARTICLE 2. In consideration of the cession aforesaid, the  
 31834 United States stipulate to pay the above chiefs, warriors, and  
 31835 head-men of the Potawattimie Nation one dollar and twenty-  
 31836 five cents per acre, or thirty-three thousand six hundred dollars,  
 31837 (33,600,) in specie, on or before the first of May, in the year  
 31838 eighteen hundred and thirty-seven.—(Proclamed January 21,  
 31839 1833.)

31840 ARTICLE 3. The above-named chiefs, warriors, and head-men  
 31841 of the Potowattimies of the Wabash agree to remove to the coun-  
 31842 try west of the Mississippi River provided for the Potawattimie  
 31843 Nation by the United States within two years.

31844 ARTICLE 4. At the request of the above-named chiefs, war-  
 31845 riors, and head-men of the Potawattimies aforesaid, it is stipu-  
 31846 lated that, after the ratification of this treaty, the United States  
 31847 shall appoint a commissioner, who shall be authorized to pay such  
 31848 debts of said Wabash Potawattimies as may be proved to his  
 31849 satisfaction to be just, to be deducted from the amount stipulated  
 31850 in the 2d article of this treaty.

31851       ARTICLE 5. The United States stipulate to provide for the  
31852 payment of the necessary expenses attending the making and  
31853 concluding this treaty.

31854       ARTICLE 6. This treaty shall be binding upon the parties  
31855 aforesaid from the date of its ratification by the President and  
31856 Senate of the United States.

31857       Proclaimed February 18, 1837.

31858                   POTTAWOTTOMIES, MO-SACK, CHIEF.

31859   *Articles of a treaty made and concluded at Chippewanaung, in the*  
31860       *State of Indiana, between A. C. Pepper, commissioner on the*  
31861       *part of the United States, and Mo-sack, chief of the Potawattimie*  
31862       *tribe of Indians, and his band, on the twenty-second day of Sep-*  
31863       *tember, in the year eighteen hundred and thirty-six.*

31864       ARTICLE 1. The above-named chief and his band hereby  
31865 cede to the United States four sections of land, reserved for  
31866 him and his band by the 2nd article of the treaty between the  
31867 United States and the Potawattimie tribe of Indians, on Tip-  
31868 pecanoe River, on the 27th day of October, in the year eighteen  
31869 hundred and thirty-two, (proclaimed January 21, 1833.)

31870       ARTICLE 2. In consideration of the cession aforesaid, the  
31871 United States stipulate to pay the above-named chief and his  
31872 band the sum of three thousand two hundred dollars, on or be-  
31873 fore the first of May next.

31874       ARTICLE 3. The above-named chief and his band agree to  
31875 remove to the country west of the Mississippi River provided  
31876 for the Potawattimie Nation by the United States within two  
31877 years.

31878       ARTICLE 4. At the request of the above-named chief and  
31879 his band, it is stipulated that after the ratification of this treaty  
31880 the United States shall appoint a commissioner, who shall be  
31881 authorized to pay such debts of the said band as may be proved  
31882 to his satisfaction to be just, to be deducted from the amount  
31883 stipulated in the second article of this treaty.

31884       ARTICLE 5. The United States stipulate to provide for the  
31885 payment of the necessary expenses attending the making and  
31886 concluding this treaty.

31887       ARTICLE 6. This treaty, after the same shall be ratified by  
31888 the President and Senate of the United States, shall be binding  
31889 upon both parties.

31890       Proclaimed February 16, 1837.

31891 POTTAWOTTOMIES, CHEE-CHAW-KOSE, CHIEF.

31892 *Articles of a treaty concluded in the city of Washington on the*  
 31893 *eleventh day of February, eighteen hundred and thirty-seven,*  
 31894 *between John T. Douglass, commissioner on the part of the*  
 31895 *United States, and Chee-chaw-kose, Ash-kum Wee-saw, or Lou-*  
 31896 *ison, Muck-kose, and Qui-qui-to, chiefs of the Potawatomic*  
 31897 *tribe of Indians.*

31898 ARTICLE 1. The chiefs and head-men above named do, for  
 31899 themselves and their respective bands, sanction and give their  
 31900 assent to the provisions of the treaties concluded between A. C.  
 31901 Pepper, commissioner on the part of the United States, and  
 31902 certain chiefs and young men of the Potawatomic tribe of Indians,  
 31903 on the 5th day of August and 23d day of September, 1836, (both  
 31904 proclaimed February 18, 1837,) in which were ceded to the United  
 31905 States certain lands in the State of Indiana, in which the chiefs  
 31906 and head-men above named have an interest, the same having  
 31907 been reserved for them and their bands, respectively, in the treaties  
 31908 of October 26th and 27th, 1832. And the chiefs and head-men above  
 31909 named, for themselves and their bands, do hereby cede to the  
 31910 United States all their interest in said lands, and agree to remove  
 31911 to a country that may be provided for them by the President of  
 31912 the United States southwest of the Missouri River, within two  
 31913 years from the ratification of this treaty.

31914 ARTICLE 2. The United States agree that the several sums,  
 31915 for the payment of which provision is made in the treaties of  
 31916 August and September, 1836, referred to in the preceding arti-  
 31917 cle, shall be paid to the respective chiefs and bands for whose  
 31918 benefit the lands ceded by said treaties were reserved.

31919 ARTICLE 3. The United States further agree to convey, by  
 31920 patent, to the Potawatomes of Indiana, a tract of country on  
 31921 the Osage River, southwest of the Missouri River, sufficient in  
 31922 extent and adapted to their habits and wants; remove them to  
 31923 the same; furnish them with one year's subsistence after their  
 31924 arrival there, and pay the expenses of this treaty and of the  
 31925 delegation now in this city.

31926 ARTICLE 4. It is further stipulated that the United States  
 31927 will purchase the "five sections in the prairie, near Rock Vil-  
 31928 lage," reserved for Qui-qui-to in the second article of the treaty  
 31929 of October 20th, 1832, for the sum of \$4,000, to be paid to said  
 31930 chief at such times and places as the President of the United  
 31931 States may think proper.

31932 ARTICLE 5. This treaty to be obligatory upon the contract-  
 31933 ing parties when ratified by the President and Senate of the  
 31934 United States.

31935 Proclaimed February 18, 1837.

31936

## QUAPAWS.

31937 *A treaty of friendship, cession, and limits, made and entered into*  
 31938 *this twenty-fourth day of August, eighteen hundred and eight-*  
 31939 *een, by and between William Clark and Auguste Chouteau,*  
 31940 *commissioners on the part and behalf of the United States, of*  
 31941 *the one part, and the undersigned chiefs and warriors of the*  
 31942 *Quapaw tribe or nation, on the part and behalf of their said*  
 31943 *tribe or nation, of the other part.*

31944       ARTICLE 1. The undersigned chiefs and warriors, for them-  
 31945 selves and their said tribe or nation, do hereby acknowledge  
 31946 themselves to be under the protection of the United States, and  
 31947 of no other state, power, or sovereignty whatsoever.

31948       ARTICLE 2. The undersigned chiefs and warriors, for them-  
 31949 selves and their said tribe or nation, do hereby, for and in con-  
 31950 sideration of the promises and stipulations hereinafter named,  
 31951 cede and relinquish to the United States forever all the lands  
 31952 within the following boundaries, viz: Beginning at the mouth  
 31953 of the Arkansaw River; thence extending up the Arkansaw to  
 31954 the Canadian Fork, and up the Canadian Fork to its source;  
 31955 thence south to Big Red River, and down the middle of that  
 31956 river to the Big Raft; thence a direct line so as to strike the  
 31957 Mississippi River thirty leagues in a straight line below the  
 31958 mouth of Arkansaw, together with all their claims to land east  
 31959 of the Mississippi and north of the Arkansaw River included  
 31960 within the coloured lines 1, 2, and 3 on the above map, \* with  
 31961 the exception and reservation following, that is to say, the tract  
 31962 of country bounded as follows: Beginning at a point on the  
 31963 Arkansaw River opposite the present post of Arkansaw, and  
 31964 running thence a due southwest course to the Washita River;  
 31965 thence up that river to the Saline Fork; and up the Saline Fork  
 31966 to a point from whence a due north course would strike the Ar-  
 31967 kansaw River at the Little Rock; and thence down the right  
 31968 bank of the Arkansaw to the place of beginning; which said  
 31969 tract of land, last above designated and reserved, shall be sur-  
 31970 veyed and marked off at the expense of the United States as  
 31971 soon as the same can be done with convenience, and shall not  
 31972 be sold or disposed of by the said Quapaw tribe or nation to any  
 31973 individual whatever, nor to any State or nation, without the ap-  
 31974 probation of the United States first had and obtained.

31975       ARTICLE 3. It is agreed between the United States and the  
 31976 said tribe or nation that the individuals of the said tribe or na-  
 31977 tion shall be at liberty to hunt within the territory by them

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\*A map accompanies the original treaty. (Reservation.)

ceded to the United States, without hindrance or molestation, so long as they demean themselves peaceably and offer no injury or annoyance to any of the citizens of the United States, and until the said United States may think proper to assign the same, or any portion thereof, as hunting-grounds to other friendly Indians.

ARTICLE 4. No citizen of the United States, or any other person, shall be permitted to settle on any of the lands hereby allotted to and reserved for the said Quapaw tribe or nation to live and hunt on; yet it is expressly understood and agreed on, by and between the parties aforesaid, that at all times the citizens of the United States shall have the right to travel and pass freely, without toll or exaction, through the Quapaw reservation, by such roads or routes as now are or hereafter may be established.

ARTICLE 5. In consideration of the cession and stipulations aforesaid, the United States do hereby promise and bind themselves to pay and deliver to the said Quapaw tribe or nation, immediately upon the execution of this treaty, goods and merchandize to the value of four thousand dollars, and to deliver, or cause to be delivered, to them, yearly, and every year, goods and merchandize to the value of one thousand dollars, to be estimated in the city or place in the United States where the same are procured or purchased.

ARTICLE 6. Least the friendship which now exists between the United States and the said tribe or nation should be interrupted by the misconduct of individuals, it is hereby agreed that, for injuries done by individuals, no private revenge or retaliation shall take place; but, instead thereof, complaints shall be made by the party injured to the other by the tribe or nation aforesaid to the governor, superintendent of Indian affairs, or some other person authorized and appointed for that purpose; and by the governor, superintendent, or other person authorized, to the chiefs of the said tribe or nation. And it shall be the duty of the said tribe or nation, upon complaint being made, as aforesaid, to deliver up the person or persons against whom the complaint is made, to the end that he or they may be punished agreeably to the laws of the State or Territory where the offence may have been committed; and, in like manner, if any robbery, violence, or murder shall be committed on any Indian or Indians belonging to the said tribe or nation, the person or persons so offending shall be tried, and, if found guilty, punished in like manner as if the injury had been done to a white man. And it is further agreed that the chiefs of the said tribe or nation shall, to the utmost of their power, exert themselves to recover horses or other property which may be stolen from any

32024 citizen or citizens of the United States by any individual or in-  
 32025 dividuals of the said tribe or nation; and the property so re-  
 32026 covered shall be forthwith delivered to the governor, superin-  
 32027 tendant, or other person authorized to receive the same, that it  
 32028 may be restored to the proper owner. And in cases where the  
 32029 exertions of the chiefs shall be ineffectual in recovering the  
 32030 property stolen, as aforesaid, if sufficient proof can be obtained  
 32031 that such property was actually stolen by an Indian or Indians  
 32032 belonging to the said tribe or nation, a sum equal to the value  
 32033 of the property which has been stolen may be deducted by the  
 32034 United States from the annuity of said tribe or nation. And  
 32035 the United States hereby guaranty to the individuals of the said  
 32036 tribe or nation a full indemnification for any horse or horses or  
 32037 other property which may be taken from them by any of their  
 32038 citizens: *Provided*, The property so stolen cannot be recovered,  
 32039 and that sufficient proof is produced that it was actually stolen  
 32040 by a citizen or citizens of the United States.

32041 ARTICLE 7. This treaty shall take effect and be obligatory  
 32042 on the contracting parties as soon as the same shall have been  
 32043 ratified by the President of the United States, by and with the  
 32044 advice and consent of the Senate.

32045 Proclaimed July 5, 1818.

32046 *Articles of a treaty between the United States of America and the*  
 32047 *Quapaw Nation of Indians.*

32048 ARTICLE 1. The Quapaw Nation of Indians cede to the  
 32049 United States of America, in consideration of the promises and  
 32050 stipulations hereinafter made, all claim or title which they may  
 32051 have to lands in the Territory of Arkansas, comprised in the fol-  
 32052 lowing boundaries, to wit: Beginning at a point on the Arkan-  
 32053 sas River, opposite to the post of Arkansas, and running thence  
 32054 a due southwest course to the Ouachita River; and thence up  
 32055 the same to the Saline Fork; and up the Saline Fork to a point  
 32056 from whence a due northeast course will strike the Arkansas  
 32057 River at Little Rock; and thence down the right (or south bank)  
 32058 of the Arkansas River to the place of beginning.

32059 ARTICLE 2. In consideration of the cession made in the first  
 32060 article of this treaty by the aforesaid chiefs and warriors, the  
 32061 United States engage to pay to the four head chiefs of the Qua-  
 32062 paw Nation the sum of five hundred dollars each, in considera-  
 32063 tion of the losses they will sustain by removing from their farms  
 32064 and improvements, the payment to be made at the time they  
 32065 receive their annuity for the year 1825; and also to the said  
 32066 nation the sum of four thousand dollars, to be paid in goods at  
 32067 the signing of this treaty. And the United States also engage

32068 to pay to the Quapaw Nation one thousand dollars in specie,  
 32069 annually, for the term of eleven years, in addition to their pres-  
 32070 ent annuity.

32071 ARTICLE 3. The United States hereby guaranty to the said  
 32072 nation of Indians the same right to hunt on the lands by them  
 32073 hereby ceded as was guaranteed to them by a treaty concluded  
 32074 at St. Louis on the 24th of August, 1818, between the said Qua-  
 32075 paw Nation of Indians and William Clark and August Choteau,  
 32076 commissioners on the part of the United States.

32077 ARTICLE 4. The Quapaw tribe of Indians will hereafter be  
 32078 concentrated and confined to the district of country inhabited  
 32079 by the Caddo Indians, and form a part of said tribe. The said  
 32080 nation of Indians are to commence removing to the district  
 32081 allotted them before the twentieth day of January, one thou-  
 32082 sand eight hundred and twenty-six.

32083 ARTICLE 5. For the purpose of facilitating the removal of  
 32084 the said tribe to the district of country allotted them, and as  
 32085 a compensation for the losses sustained and the inconveniences  
 32086 to which they may be exposed by said removal, the United States  
 32087 will furnish them with corn, meat, and salt, for six months,  
 32088 from the first day of January, one thousand eight hundred and  
 32089 twenty-six. The United States further agree to furnish a sum  
 32090 not exceeding one thousand dollars, to be expended by their  
 32091 agent, to facilitate the transportation of the said tribe to the  
 32092 district of country herein assigned them. An agent, sub-agent,  
 32093 or interpreter, shall be appointed to accompany said tribe and  
 32094 to reside among them.

32095 ARTICLE 6. From the cession aforesaid there shall be re-  
 32096 served to James Scull, in consideration of a debt of seven  
 32097 thousand five hundred dollars due to him from the Quapaw  
 32098 Nation, and recognized in open council, two sections of land,  
 32099 commencing on the Arkansas River opposite to Mrs. Embree's  
 32100 and running up and back from said river for quantity. And the  
 32101 United States guaranty to the Quapaw Nation the payment of  
 32102 the said debt of seven thousand five hundred dollars, either by  
 32103 the ratification of the grant made in this article or by the pay-  
 32104 ment of said amount in money, exclusive of the amount stipu-  
 32105 lated to be paid to the said nation by this treaty.

32106 ARTICLE 7. There shall be granted by the United States  
 32107 to the following persons, being Indians by descent, the follow-  
 32108 ing tracts of land: To Francois Imbeau, one quarter-section of  
 32109 land, commencing at a point on the Arkansas River opposite  
 32110 the upper end of Wright Daniel's farm, and thence up and back  
 32111 from said river for quantity. To Joseph Duchassien, one quar-  
 32112 ter-section of land, commencing at the lower corner of the quar-  
 32113 ter-section granted to Francois Imbeau, and running down and

32114 back from said river for quantity. To Saracen, a half-breed  
 32115 Quapaw, eighty acres of land, to be laid off so as to include his  
 32116 improvement, where he now resides, opposite Vaugine's. To  
 32117 Batiste Socie, eighty acres of land laying above and adjoining  
 32118 Saracen's grant. To Joseph Bonne, eighty acres of land lying  
 32119 above and adjoining Socie's grant. To Baptiste Bonne, eighty  
 32120 acres of land lying above and adjoining Joseph Bonne's grant.  
 32121 To Lewis Bartelmi, eighty acres of land lying above and ad-  
 32122 joining Baptiste Bonne's grant. To Antoine Duchassin, eighty  
 32123 acres of land lying above and adjoining Bartelmi's grant. To  
 32124 Baptiste Imbeau, eighty acres of land lying above and adjoining  
 32125 A. Duchassin's grant. To Francois Coupot, eighty acres of land  
 32126 lying above and adjoining Baptiste Imbeau's grant. To Joseph  
 32127 Valliere, eighty acres of land lying above and adjoining Fran-  
 32128 cois Coupot's grant. All the said tracts of land shall be laid off  
 32129 so as to conform to the lines of the United States surveys and  
 32130 binding on the Arkansas River.

32131 ARTICLE 8. This treaty shall take effect and be obligatory  
 32132 on the contracting parties so soon as the same shall be ratified  
 32133 by the Senate of the United States.

32134 Proclaimed February 18, 1825.

32135 *Articles of agreement or a treaty between the United States and the*  
 32136 *Quapaw Indians entered into by John F. Schermerhorn, com-*  
 32137 *missioner of Indian affairs West, on the part of the United*  
 32138 *States, and the chiefs and warriors of the Quapaw Indians.*

32139 Whereas, by the treaty between the United States and the  
 32140 Quapaw Indians, concluded November 15th, 1824, they ceded to  
 32141 the United States all their lands in the Territory of Arkansas,  
 32142 and according to which they were "*to be concentrated and con-*  
 32143 *finied to a district of country inhabited by the Caddo Indians and*  
 32144 *form a part of said tribe,*" (see article 4, preceding treaty ;) and

32145 Whereas they did remove according to the stipulations of  
 32146 said treaty, and settled on the Bayou Treache on the south side  
 32147 of Red River, on a tract of land given them by the Caddo In-  
 32148 dians, but which was found subject to frequent inundations on  
 32149 account of the raft on Red River, and where their crops were  
 32150 destroyed by the water year after year, and which also proved  
 32151 to be a very sickly country, and where, in a short time, nearly  
 32152 one-fourth of their people died; and

32153 Whereas they could obtain no other situation from the  
 32154 Caddoes, and they refused to incorporate them and receive them  
 32155 as a constituent part of their tribe, as contemplated by their  
 32156 treaty with the United States, and as they saw no alternative but

32157 to perish, if they continued there, or to return to their old resi-  
 32158 dence on the Arkansas, they therefore chose the latter; and

32159 Whereas they now find themselves very unhappily situated  
 32160 in consequence of having their little improvements taken from  
 32161 them by the settlers of the country, and being anxious to secure  
 32162 a permanent and peaceable home, the following articles or treaty  
 32163 are agreed upon between the United States and the Quapaw In-  
 32164 dians, by John F. Schermerhorn, ——— ———, commis-  
 32165 sioners of Indian affairs West, and the chiefs and warriors of  
 32166 said Quapaw Indians, this (13th) thirteenth day of May, 1833 :

32167 ARTICLE 1. The Quapaw Indians hereby relinquish and  
 32168 convey to the United States all their right and title to the lands  
 32169 given them by the Caddo Indians on the Bayou Treache of Red  
 32170 River.

32171 ARTICLE 2. The United States hereby agree to convey to  
 32172 the Quapaw Indians one hundred and fifty sections of land west  
 32173 of the State line of Missouri and between the lands of the Sene-  
 32174 cas and Shawnees, not heretofore assigned to any other tribe of  
 32175 Indians, the same to be selected and assigned by the commis-  
 32176 sioners of Indian affairs West, and which is expressly designed  
 32177 to be [in] lieu of their location on Red River; and to carry into  
 32178 effect the treaty of 1824, in order to provide a permanent home  
 32179 for their nation, the United States agree to convey the same,  
 32180 by patent to them and their descendants as long as they shall exist  
 32181 as a nation or continue to reside thereon; and they also agree to  
 32182 protect them in their new residence against all interruption or  
 32183 disturbance from any other tribe or nation of Indians or from  
 32184 any other person or persons whatever.

32185 ARTICLE 3. Whereas it is the policy of the United States,  
 32186 in all their intercourse with the Indians, to treat them liberally  
 32187 as well as justly, and endeavor to promote their civilization and  
 32188 prosperity, it is further agreed that, in consideration of the im-  
 32189 portant and extensive cessions of lands made by the Quapaws to  
 32190 the United States, and in view of their present impoverished  
 32191 and wretched condition, they shall be removed to their new  
 32192 homes at the expense of the United States, and that they will  
 32193 supply them with one year's provision from the time of their  
 32194 removal, which shall be as soon as they receive notice of the  
 32195 ratification of this treaty by the President and Senate of the  
 32196 United States. The United States will also furnish and deliver  
 32197 to them, after their arrival at their new homes, one hundred  
 32198 cows, one hundred breeding-hogs, one hundred sheep, ten yoke  
 32199 of working-cattle, twenty-five ploughs, one hundred axes, one  
 32200 hundred hoes, four ox-carts, and one wagon, with all their  
 32201 necessary rigging; twenty iron hand corn-mills; tools of different  
 32202 descriptions to the amount of two hundred dollars; also, looms,

32203 wheels, reels, and wool-cards to the amount of two hundred dol-  
 32204 lars; one hundred blankets; fifty rifles, and five shot-guns, all  
 32205 with flint-locks; ten kegs of powder, and six hundred pounds of  
 32206 lead. The United States agree to provide a farmer to reside  
 32207 with them and to aid and instruct them in their agricultural  
 32208 pursuits, and a blacksmith to do their necessary work, with a  
 32209 shop and tools, and iron and steel not exceeding one ton per  
 32210 year. The United States also agree to appropriate one thousand  
 32211 dollars per year for education purposes, to be expended under  
 32212 the direction of the President of the United States; the farmer  
 32213 and blacksmith and the above appropriation for education pur-  
 32214 poses to be continued only as long as the President of the Uni-  
 32215 ted States deems necessary for the best interests of the Indians.

32216 ARTICLE 4. It is hereby mutually agreed upon between the  
 32217 parties respectively to this treaty, that in lieu of and in full  
 32218 consideration of their present annuities, perpetual and limited,  
 32219 the United States will pay the debts of the Quapaw Indians,  
 32220 according to the annexed schedule, to the amount of four thou-  
 32221 sand one hundred and eighty dollars, provided they can be dis-  
 32222 charged in full for that amount. They will also expend to the  
 32223 amount of one thousand dollars in hiring suitable labourers to  
 32224 build and aid them in erecting comfortable cabins and houses to  
 32225 live in; and also that they will pay them annually two thousand  
 32226 dollars for twenty years from the ratification of this treaty, and  
 32227 that out of said annuity there shall be allowed to their four  
 32228 principal chiefs, Hackatton, Sarassan, Tonnonjinka, and Kahe-  
 32229 kteda, and to their successors each, in addition to their distri-  
 32230 butive share of said annuity, the sum of fifty dollars per year.

32231 ARTICLE 5. It is hereby agreed, and expressly understood,  
 32232 that this treaty is only supplementary to the treaty of 1824, and  
 32233 designed to carry into effect the views of the United States in  
 32234 providing a permanent and comfortable home for the Quapaw  
 32235 Indians; and also that all the stock and articles furnished the  
 32236 Indians by the United States as expressed in the fourth article  
 32237 shall be under the care and direction of the agent and farmer of  
 32238 said tribe, to see that the same is not squandered or sold, or any  
 32239 of the stock slain by the Indians, untill such time as the natu-  
 32240 ral increase of the stock will warrant the same to be done with-  
 32241 out destroying the whole, and thus defeating the benevolent  
 32242 views of the Government in making this provision for them.

32243 ARTICLE 6. The United States also agrees to employ an  
 32244 interpreter to accompany them on their removal, and the same  
 32245 to continue with them during the pleasure of the President of  
 32246 the United States. The above treaty shall be binding on the  
 32247 United States whenever ratified and approved by the President  
 32248 and Senate of the United States.

32249	The amount due from the Quapaw tribe of Indians to the	
32250	following-named persons :	
32251	Frederick Notrabe .....	\$567 00
32252	Joseph Dardene .....	300 00
32253	Ignace Bogy .....	170 00
32254	Alexander Dickerson .....	28 00
32255	William Montgomery .....	350 00
32256	Joseph Bonne .....	30 00
32257	Joseph Duchasin .....	30 00
32258	Baptiste Bonne .....	20 00
32259	Antoine Barraque .....	2, 235 00
32260	George W. Boyer .....	50 00
32261	Weylon King .....	400 00
32262		
32263		<hr/> 4, 180 00
32264	Proclaimed April 12, 1834.	

32265 QUI-NAI-ELTS, ETC.

32266 *Treaty between the United States and the Qui-nai-elt and Quil-leh-*  
 32267 *ute Indians, concluded on the Qui-nai-elt River, in the Terri-*  
 32268 *tory of Washington, July 1, 1855, and at the city of Olympia*  
 32269 *January 25, 1856 ; ratified by the Senate March 8, 1859.*

32270 JAMES BUCHANAN, President of the United States of America,  
 32271 to all and singular to whom these presents shall come,  
 32272 greeting :

32273 Whereas a treaty was made and concluded on the Qui-nai-  
 32274 elt River, in the Territory of Washington, on the first day of  
 32275 July, one thousand eight hundred and fifty-five, and at the city  
 32276 of Olympia, also in said Territory, on the twenty-fifth day of  
 32277 January, one thousand eight hundred and fifty-six, between  
 32278 Isaac I. Stevens, governor and superintendent of Indian affairs  
 32279 in the Territory aforesaid, on the part of the United States, and  
 32280 the hereinafter-named chiefs, head-men, and delegates of the  
 32281 different tribes and bands of the Qui-nai-elt and Quil-leh-ute  
 32282 Indians, on the part of said tribes and bands, and duly author-  
 32283 ized thereto by them ; which treaty is in the words and figures  
 32284 following, to wit :

32285 Articles of agreement and convention made and concluded by  
 32286 and between Isaac I. Stevens, governor and superintendent  
 32287 of Indian affairs of the Territory of Washington, on the  
 32288 part of the United States, and the undersigned chiefs, head-  
 32289 men, and delegates of the different tribes and bands of the

32290 Qui-nai-elt and Quil-leh-ute Indians, on the part of said  
32291 tribes and bands, and duly authorized thereto by them.

32292 ARTICLE 1. The said tribes and bands hereby cede, relin-  
32293 quish, and convey to the United States all their right, title, and  
32294 interest in and to the lands and country occupied by them,  
32295 bounded and described as follows: Commencing at a point on  
32296 the Pacific coast, which is the southwest corner of the lands  
32297 lately ceded by the Makah tribe of Indians to the United States,  
32298 and running easterly with and along the southern boundary of  
32299 the said Makah tribe to the middle of the coast range of moun-  
32300 tains; thence southerly with said range of mountains to their  
32301 intersection with the dividing ridge between the Chehalis  
32302 and Quinialt Rivers; thence westerly with said ridge to the  
32303 Pacific coast; thence northerly along said coast to the place of  
32304 beginning.

32305 ARTICLE 2. There shall, however, be reserved, for the use and  
32306 occupation of the tribes and bands aforesaid, a tract or tracts of  
32307 land sufficient for their wants within the Territory of Washing-  
32308 ton, to be selected by the President of the United States, and here-  
32309 after surveyed or located and set apart for their exclusive use,  
32310 and no white man shall be permitted to reside thereon without  
32311 permission of the tribe and of the superintendent of Indian  
32312 affairs or Indian agent. And the said tribes and bands agree to  
32313 remove to and settle upon the same within one year after the  
32314 ratification of this treaty, or sooner, if the means are furnished  
32315 them. In the meantime it shall be lawful for them to reside  
32316 upon any lands not in the actual claim and occupation of citi-  
32317 zens of the United States, and upon any lands claimed or occu-  
32318 pied, if with the permission of the owner or claimant. If neces-  
32319 sary for the public convenience, roads may be run through said  
32320 reservation, on compensation being made for any damage sus-  
32321 tained thereby.

32322 ARTICLE 3. The right of taking fish at all usual and ac-  
32323 customed grounds and stations is secured to said Indians in com-  
32324 mon with all citizens of the Territory, and of erecting temporary  
32325 houses for the purpose of curing the same, together with the  
32326 privilege of hunting, gathering roots and berries, and pasturing  
32327 their horses on all open and unclaimed lands: *Provided, however,*  
32328 That they shall not take shell-fish from any beds staked or culti-  
32329 vated by citizens; and provided, also, that they shall alter all  
32330 stallions not intended for breeding, and shall keep up and con-  
32331 fine the stallions themselves.

32332 ARTICLE 4. In consideration of the above cession, the United  
32333 States agree to pay to the said tribes and bands the sum of twenty-  
32334 five thousand dollars, in the following manner, that is to say:  
32335 For the first year after the ratification hereof, two thousand

five hundred dollars; for the next two years, two thousand dollars each year; for the next three years, one thousand six hundred dollars each year; for the next four years, one thousand three hundred dollars each year; for the next five years, one thousand dollars each year; and for the next five years, seven hundred dollars each year; all of which sums of money shall be applied to the use and benefit of the said Indians under the directions of the President of the United States, who may, from time to time, determine at his discretion upon what beneficial objects to expend the same; and the superintendent of Indian affairs, or other proper officer, shall each year inform the President of the wishes of said Indians in respect thereto.

ARTICLE 5. To enable the said Indians to remove to and settle upon such reservation as may be selected for them by the President, and to clear, fence, and break up a sufficient quantity of land for cultivation, the United States further agree to pay the sum of two thousand five hundred dollars, to be laid out and expended under the direction of the President, and in such manner as he shall approve.

ARTICLE 6. The President may hereafter, when in his opinion the interests of the Territory shall require, and the welfare of the said Indians be promoted by it, remove them from said reservation or reservations to such other suitable place or places within said Territory as he may deem fit, on remunerating them for their improvements and the expenses of their removal, or may consolidate them with other friendly tribes or bands, in which latter case the annuities payable the consolidated tribes respectively shall also be consolidated; and he may further, at his discretion, cause the whole or any portion of the lands to be reserved, or of such other land as may be selected in lieu thereof, to be surveyed into lots, and assign the same to such individuals or families as are willing to avail themselves of the privilege, and will locate on the same as a permanent home, on the same terms and subject to the same regulations as are provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable. Any substantial improvements heretofore made by any Indians, and which they shall be compelled to abandon in consequence of this treaty, shall be valued under the direction of the President, and payment made accordingly therefor.

ARTICLE 7. The annuities of the aforesaid tribes and bands shall not be taken to pay the debts of individuals.

ARTICLE 8. The said tribes and bands acknowledge their dependence on the Government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations on the property of such citizens;

32382 and should any one or more of them violate this pledge, and the  
 32383 fact be satisfactorily proven before the agent, the property taken  
 32384 shall be returned, or, in default thereof, or if injured or destroyed,  
 32385 compensation may be made by the Government out of their an-  
 32386 nuities. Nor will they make war on any other tribe, except in  
 32387 self-defence, but will submit all matters of difference between  
 32388 them and other Indians to the Government of the United States,  
 32389 or its agent, for decision, and abide thereby; and if any of the  
 32390 said Indians commit any depredations on any other Indians  
 32391 within the Territory, the same rule shall prevail as is prescribed  
 32392 in this article in case of depredations against citizens. And the  
 32393 said tribes and bands agree not to shelter or conceal offenders  
 32394 against the laws of the United States, but to deliver them to the  
 32395 authorities for trial.

32396 ARTICLE 9. The above tribes and bands are desirous to ex-  
 32397 clude from their reservations the use of ardent spirits, and to  
 32398 prevent their people from drinking the same, and therefore it is  
 32399 provided that any Indian belonging to said tribes who is guilty  
 32400 of bringing liquor into said reservations, or who drinks liquor,  
 32401 may have his or her proportion of the annuities withheld from  
 32402 him or her for such time as the President may determine.

32403 ARTICLE 10. The United States further agree to establish  
 32404 at the general agency for the district of Puget Sound, within one  
 32405 year from the ratification hereof, and to support for a period of  
 32406 twenty years, an agricultural and industrial school, to be free to  
 32407 the children of the said tribes and bands in common with those  
 32408 of the other tribes of said district, and to provide the said school  
 32409 with a suitable instructor or instructors, and also to provide a  
 32410 smithy and carpenter's shop, and furnish them with the neces-  
 32411 sary tools, and to employ a blacksmith, carpenter, and farmer  
 32412 for a term of twenty years, to instruct the Indians in their res-  
 32413 pective occupations. And the United States further agree to  
 32414 employ a physician to reside at the said central agency, who shall  
 32415 furnish medicine and advice to their sick, and shall vaccinate  
 32416 them; the expenses of the said school, shops, employees, and  
 32417 medical attendance to be defrayed by the United States, and not  
 32418 deducted from their annuities.

32419 ARTICLE 11. The said tribes and bands agree to free all  
 32420 slaves now held by them, and not to purchase or acquire others  
 32421 hereafter.

32422 ARTICLE 12. The said tribes and bands finally agree not to  
 32423 trade at Vancouver's Island or elsewhere out of the dominions  
 32424 of the United States, nor shall foreign Indians be permitted to  
 32425 reside on their reservations without consent of the superintend-  
 32426 ent or agent.

32427 ARTICLE 13. This treaty shall be obligatory on the con-  
 32428 tracting parties as soon as the same shall be ratified by the  
 32429 President and Senate of the United States.

32430 Proclaimed April 11, 1859.

32431 RICARAS.

32432 *Treaty with the Ricara tribe.*

32433 To put an end to an unprovoked hostility on the part of the  
 32434 Ricara tribe of Indians against the United States, and to restore  
 32435 harmony between the parties, the President of the United States,  
 32436 by Brigadier-General Henry Atkinson, of the United States  
 32437 Army, and Major Benjamin O'Fallon, Indian agent, commission-  
 32438 ers duly appointed and commissioned to treat with the Indian  
 32439 tribes beyond the Mississippi River, give peace to the said  
 32440 Ricara tribe; the chiefs and warriors thereof having first made  
 32441 suitable concessions for the offence. And for the purpose of re-  
 32442 moving all further or future cause of misunderstanding as re-  
 32443 spects trade and friendly intercourse between the parties, the  
 32444 above-named commissioners on the part of the United States,  
 32445 and the undersigned chiefs and warriors of the Ricara tribe of  
 32446 Indians on the part of said tribe, have made and entered into  
 32447 the following articles and conditions, which, when ratified by  
 32448 the President of the United States, by and with the advice  
 32449 and consent of the Senate, shall be binding on both parties, to  
 32450 wit:

32451 ARTICLE 1. Henceforth there shall be a firm and lasting  
 32452 peace between the United States and the Ricara tribe of Indians;  
 32453 and a friendly intercourse shall immediately take place between  
 32454 the parties.

32455 ARTICLE 2. It is admitted by the Ricara tribe of Indians  
 32456 that they reside within the territorial limits of the United States,  
 32457 acknowledge their supremacy, and claim their protection. The  
 32458 said tribe also admit the right of the United States to regulate  
 32459 all trade and intercourse with them.

32460 ARTICLE 3. The United States agree to receive the Ricara  
 32461 tribe of Indians into their friendship, and under their protec-  
 32462 tion, and to extend to them, from time to time, such benefits  
 32463 and acts of kindness as may be convenient and seem just and  
 32464 proper to the President of the United States.

32465 ARTICLE 4. All trade and intercourse with the Ricara tribe  
 32466 shall be transacted at such place or places as may be designated  
 32467 and pointed out by the President of the United States, through

32468 his agents; and none but American citizens, duly authorized by  
 32469 the United States, shall be admitted to trade or hold intercourse  
 32470 with said tribe of Indians.

32471 ARTICLE 5. That the Ricara tribe may be accommodated  
 32472 with such articles of merchandize, &c., as their necessities may  
 32473 demand, the United States agree to admit and licence traders  
 32474 to hold intercourse with said tribe, under mild and equitable  
 32475 regulations; in consideration of which, the Ricara tribe bind  
 32476 themselves to extend protection to the persons and the property  
 32477 of the traders, and the persons legally employed under them,  
 32478 while they remain within the limits of their district of country.  
 32479 And the said Ricara tribe further agree that if any foreigner  
 32480 or other person, not legally authorized by the United States,  
 32481 shall come into their district of country for the purposes of  
 32482 trade or other views, they will apprehend such person or per-  
 32483 sons, and deliver him or them to some United States superin-  
 32484 tendent or agent of Indian affairs, or to the commandant of the  
 32485 nearest military post, to be dealt with according to law. And  
 32486 they further agree to give safe-conduct to all persons who may  
 32487 be legally authorized by the United States to pass through their  
 32488 country, and to protect in their persons and property all agents  
 32489 or other persons sent by the United States to reside temporarily  
 32490 among them.

32491 ARTICLE 6. That the friendship which is now established  
 32492 between the United States and the Ricara tribe shall not be in-  
 32493 terrupted by the misconduct of individuals, it is hereby agreed  
 32494 that for injuries done by individuals no private revenge or re-  
 32495 taliation shall take place, but, instead thereof, complaints shall  
 32496 be made by the party injured to the superintendent or agent of  
 32497 Indian affairs, or other person appointed by the President; and  
 32498 it shall be the duty of the said chiefs, upon complaint being  
 32499 made as aforesaid, to deliver up the person or persons against  
 32500 whom the complaint is made, to the end that he or they may be  
 32501 punished, agreeably to the laws of the United States. And, in  
 32502 like manner, if any robbery, violence, or murder shall be com-  
 32503 mitted on any Indian or Indians belonging to said tribe, the  
 32504 person or persons so offending shall be tried, and, if found guilty,  
 32505 shall be punished in like manner as if the injury had been done  
 32506 to a white man. And it is agreed that the chiefs of the said  
 32507 Ricara tribe shall, to the utmost of their power, exert themselves  
 32508 to recover horses or other property which may be stolen or  
 32509 taken from any citizen or citizens of the United States by any  
 32510 individual or individuals of said tribe; and the property so re-  
 32511 covered shall be forthwith delivered to the agents or other per-  
 32512 son authorized to receive it, that it may be restored to the proper  
 32513 owner. And the United States hereby guaranty to any Indian

32514 or Indians of said tribe a full indemnification for any horses or  
 32515 other property which may be stolen from them by any of their  
 32516 citizens: *Provided*, That the property so stolen cannot be re-  
 32517 covered, and that sufficient proof is produced that it was  
 32518 actually stolen by a citizen of the United States. And the said  
 32519 Ricara tribe engage, on the requisition or demand of the Pres-  
 32520 ident of the United States, or of the agents, to deliver up any  
 32521 white man resident among them.

32522 ARTICLE 7. And the chiefs and warriors, as aforesaid,  
 32523 promise and engage that their tribe will never, by sale, ex-  
 32524 change, or as presents, supply any nation, tribe, or bands of In-  
 32525 dians not in amity with the United States with guns, ammuni-  
 32526 tion, or other implements of war.

32527 Proclaimed February 26, 1825.

## 32528 ROGUE RIVERS.

32529 FRANKLIN PIERCE, President of the United States of America,  
 32530 to all and singular to whom these presents shall come,  
 32531 greeting:

32532 Whereas a treaty was made and entered into at Table Rock,  
 32533 near Rogue River, in the Territory of Oregon, this 10th day of  
 32534 September, A. D. 1853, by and between Joel Palmer, superin-  
 32535 tendent of Indian affairs, and Samuel H. Culver, Indian agent,  
 32536 on the part of the United States, and Jo-aps-er-ka-har, principal  
 32537 chief, Sam To-qua-he-ar, and Jim Ana-cha-a-rah, subordinate  
 32538 chiefs, and others, head-men of the bands of the Rogue River  
 32539 tribe of Indians, on the part of said tribe.

32540 ARTICLE 1. The Rogue River tribe of Indians do hereby  
 32541 cede and relinquish, for the considerations hereinafter specified,  
 32542 to the United States, all their right, title, interest, and claim to  
 32543 all the lands lying in that part of the Territory of Oregon, and  
 32544 bounded by lines designated as follows, to wit:

32545 Commencing at a point one mile below the mouth of Apple-  
 32546 gate Creek, on the south side of Rogue River, running thence  
 32547 southerly to the highlands dividing the waters of Applegate  
 32548 Creek from those of Althouse Creek; thence along said high-  
 32549 lands to the summit of the Siskiyou range of mountains; thence  
 32550 easterly to Pilot Rock; thence northeasterly to the summit of  
 32551 the Cascade range; thence northerly along the said Cascade  
 32552 range to Pitt's Peak, continuing northerly to Rogue River;  
 32553 thence westerly to the head-waters of Jump-off-jo Creek; thence  
 32554 down said creek to the intersection of the same with a line due  
 32555 north from the place of beginning; thence to the place of be-  
 32556 ginning.

32557       ARTICLE 2. It is agreed on the part of the United States  
 32558 that the aforesaid tribe shall be allowed to occupy temporarily  
 32559 that portion of the above-described tract of territory bounded  
 32560 as follows, to wit: Commencing on the north side of Rogue  
 32561 River, at the mouth of Evan's Creek; thence up said creek to the  
 32562 upper end of a small prairie bearing in a northwesterly direction  
 32563 from Table Mountain, or Upper Table Rock; thence through the  
 32564 gap to the south side of the cliff of the said mountain; thence in  
 32565 a line to Rogue River, striking the southern base of Lower  
 32566 Table Rock; thence down said river to the place of beginning.  
 32567 It being understood that this described tract of land shall be  
 32568 deemed and considered an Indian reserve, until a suitable selec-  
 32569 tion shall be made by the direction of the President of the  
 32570 United States for their permanent residence and buildings  
 32571 erected thereon, and provision made for their removal.

32572       ARTICLE 3. For and in consideration of the cession and re-  
 32573 linquishment contained in article 1st, the United States agree  
 32574 to pay to the aforesaid tribe the sum of sixty thousand dollars  
 32575 fifteen thousand of which sum to be retained, (according to the  
 32576 stipulations of article 4th of a "treaty of peace made and en-  
 32577 tered into on the 8th day of September, 1853, between Gen'l Jo.  
 32578 Lane, commanding forces of Oregon Territory, and Jo., principal  
 32579 chief, Sam and Jim, subordinate chiefs, on the part of the Rogue  
 32580 River tribe of Indians,") by the superintendent of Indian affairs,  
 32581 to pay for the property of the whites destroyed by them during  
 32582 the late war, the amount of property so destroyed to be esti-  
 32583 mated by three disinterested commissioners, to be appointed by  
 32584 the superintendent of Indian affairs, or otherwise, as the Presi-  
 32585 dent may direct. Five thousand dollars to be expended in the  
 32586 purchase of agricultural implements, blankets, clothing, and  
 32587 such other goods as may be deemed by the superintendent or  
 32588 agent most conducive to the comfort and necessities of said  
 32589 tribe, on or before the 1st day of September, 1854, and for the  
 32590 payment of such permanent improvements as may have been  
 32591 made by land claimants on the aforesaid reserve, the value of  
 32592 which to be ascertained by three persons appointed by the said  
 32593 superintendent.

32594       The remaining forty thousand dollars to be paid in sixteen  
 32595 equal annual instalments, of two thousand five hundred dollars  
 32596 each, (commencing on or about the 1st day of September, 1854,) in  
 32597 blankets, clothing, farming-utensils, stock, and such other  
 32598 articles as may be deemed most conducive to the interests of  
 32599 said tribe.

32600       ARTICLE 4. It is further agreed that there shall be erected,  
 32601 at the expense of the United States, one dwelling-house for each  
 32602 of the three principal chiefs of the aforesaid tribe, the cost of

32603 which shall not exceed five hundred dollars each, the aforesaid  
 32604 buildings to be erected as soon after the ratification of this treaty  
 32605 as possible. And when the tribe may be removed to another  
 32606 reserve, buildings and other improvements shall be made on such  
 32607 reserve of equal value to those which may be relinquished; and  
 32608 upon such removal, in addition to the before-mentioned sixty  
 32609 thousand dollars, the United States agree to pay the further  
 32610 sum of fifteen thousand dollars, in five equal instalments, com-  
 32611 mencing at the expiration of the before-named instalments.

32612 ARTICLE 5. The said tribe of Indians further agree to give  
 32613 safe-conduct to all persons who may be authorized to pass  
 32614 through their reserve, and to protect, in their person and prop-  
 32615 erty, all agents or other persons sent by the United States to re-  
 32616 side among them; they further agree not to molest or interrupt  
 32617 any white person passing through their reserve.

32618 ARTICLE 6. That the friendship which is now established  
 32619 between the United States and the Rogue River tribe of Indians  
 32620 shall not be interrupted by the misconduct of individuals, it is-  
 32621 hereby agreed that for injuries done by individuals no private  
 32622 revenge or retaliation shall take place, but, instead thereof, com-  
 32623 plaint shall be made by the party injured to the Indian agent;  
 32624 and it shall be the duty of the chiefs of the said tribe, that upon  
 32625 complaint being made as aforesaid, to deliver up the person or  
 32626 persons against whom the complaint is made, to the end that he  
 32627 or they may be punished agreeably to the laws of the United  
 32628 States; and, in like manner, if any violation, robbery, or murder  
 32629 shall be committed on any Indian or Indians belonging to said  
 32630 tribe, the person or persons so offending shall be tried, and, if  
 32631 found guilty, shall be punished according to the laws of the  
 32632 United States. And it is agreed that the chiefs of the said tribe  
 32633 shall, to the utmost of their power, exert themselves to recover  
 32634 horses or other property which has or may be stolen or taken  
 32635 from any citizen or citizens of the United States by any indi-  
 32636 vidual of said tribe; and the property so recovered shall be  
 32637 forthwith delivered to the Indian agent or other person author-  
 32638 ized to receive the same, that it may be restored to the proper  
 32639 owner.

32640 And the United States hereby guarantee to any Indian or  
 32641 Indians of the said tribe a full indemnification for any horses or  
 32642 other property which may be stolen from them by any citizens of  
 32643 the United States: *Provided*, That the property stolen or taken  
 32644 cannot be recovered, and that sufficient proof is produced that  
 32645 it was actually stolen or taken by a citizen of the United States.  
 32646 And the chiefs and head-men of the said tribe engage, on the  
 32647 requisition or demand of the President of the United States,

32648 superintendent of Indian affairs, or Indian agent, to deliver up  
32649 any white person or persons resident among them.

32650 ARTICLE 7. It is agreed between the United States and the  
32651 Rogue River tribe of Indians, that, should it at any time here-  
32652 after be considered by the United States as a proper policy to es-  
32653 tablish farms among and for the benefit of said Indians, it shall  
32654 be discretionary with the President, by and with the advice and  
32655 consent of the Senate, to change the annuities herein provided  
32656 for, or any part thereof, into a fund for that purpose.

32657 ARTICLE 8. This treaty shall take effect and be obligatory  
32658 on the contracting parties as soon as the same shall have been  
32659 ratified by the President of the United States, by and with the  
32660 advice and consent of the Senate.

32661 Proclaimed April 12, 1854.

32662 FRANKLIN PIERCE, President of the United States of America,  
32663 to all and singular to whom these presents shall come, greet-  
32664 ing :

32665 Whereas a treaty was made and concluded on the fifteenth  
32666 day of November, one thousand eight hundred and fifty-four,  
32667 between the United States of America and the chiefs and head-  
32668 men of the Rogue River tribe of Indians, which treaty is in the  
32669 words following, to wit :

32670 Articles of an agreement entered into and concluded this fifteenth  
32671 day of November, one thousand eight hundred and fifty-  
32672 four, between Joel Palmer, superintendent of Indian affairs,  
32673 on the part of the United States, and the chiefs and head-  
32674 men of the Rogue River tribe of Indians, on the part of said  
32675 tribe.

32676 ARTICLE 1. It is agreed on the part of said tribe, that the  
32677 Table Rock reserve, described in the treaty of the 10th September,  
32678 1853, (the next preceding treaty,) between the United States and  
32679 the Rogue River tribe, shall be possessed and occupied jointly  
32680 by said tribe and such other tribes and bands of Indians as the  
32681 United States shall agree with by treaty stipulations, or the Presi-  
32682 dent of the United States shall direct to reside thereupon, the  
32683 place of residence of each tribe, part of tribe, or band on said  
32684 reserve, to be designated by the superintendent of Indian affairs  
32685 or Indian agent; that the tribes and bands hereafter to be settled  
32686 on said reserve shall enjoy equal rights and privileges with the  
32687 Rogue River tribe; and that the annuities paid to the Indians now  
32688 residing or hereafter to reside on said reserve shall be shared by  
32689 all alike, from and after said residence thereon : *Provided*, That  
32690 the annuity of the Rogue River tribe, as agreed on in the treaty of  
32691 the 10th September, 1853, shall not be diminished or in any way  
32692 impaired thereby. It is also agreed that the United States

32693 shall have the right to make such roads, highways, and railroads  
 32694 through said reserve as the public good may from time to time  
 32695 require, a just compensation being made therefor.

32696 ARTICLE 2. In consideration of the foregoing stipulations,  
 32697 it is agreed on the part of the United States to pay to the Rogue  
 32698 River tribe, as soon as practicable after the signing of this agree-  
 32699 ment, two thousand one hundred and fifty dollars, in the follow-  
 32700 ing articles: twelve horses, one beef, two yokes of oxen, with  
 32701 yokes and chains, one wagon, one hundred men's coats, fifty  
 32702 pairs of pantaloons, and fifty hickory shirts; also, that in the  
 32703 treaties to be made with other tribes and bands, hereafter to be  
 32704 located on said reserve, that provision shall be made for the  
 32705 erection of two smith-shops; for tools, iron, and blacksmiths for  
 32706 the same; for opening farms and employing farmers; for a hos-  
 32707 pital, medicines, and a physician; and for one or more schools;  
 32708 the uses and benefits of all which shall be secured to said Rogue  
 32709 River tribe equally with the tribes and bands treated with; all  
 32710 the improvements made, and schools, hospital, and shops  
 32711 erected, to be conducted in accordance with such laws, rules,  
 32712 and regulations as the Congress or the President of the United  
 32713 States may prescribe.

32714 ARTICLE 3. It is further agreed, that when at any time here-  
 32715 after the Indians residing on this reserve shall be removed to  
 32716 another reserve, or shall be elsewhere provided for, that the  
 32717 fifteen thousand dollars thereafter to be paid to said Rogue  
 32718 River tribe, as specified in the treaty of the 10th September,  
 32719 1853, shall be shared alike by the members of all the tribes and  
 32720 bands that are, or hereafter shall be, located on the said Table  
 32721 Rock reserve.

32722 ARTICLE 4. It is also further provided that, in the event  
 32723 that this agreement shall not be ratified by the President and  
 32724 Senate of the United States, or that no other tribe or band shall  
 32725 be located on said reserve, the two thousand one hundred and  
 32726 fifty dollars stipulated in article second of this agreement to be  
 32727 paid said Rogue River tribe, shall be deducted from their annui-  
 32728 ties hereafter to be paid said Indians.

32729 Proclaimed April 7, 1855.

32730

## SACS RESIDING ON MISSOURI RIVER.

32731 *A treaty of peace and friendship made and concluded between*  
 32732 *William Clark, Ninian Edwards, and Auguste Chouteau, com-*  
 32733 *missioners plenipotentiary of the United States of America,*  
 32734 *on the part and behalf of the said States, of the one part, and*  
 32735 *the undersigned chiefs and warriors of that portion of the Sac*  
 32736 *Nation of Indians now residing on the Missouri River, of the*  
 32737 *other part.*

32738       Whereas the undersigned chiefs and warriors, as well as  
 32739 that portion of the nation which they represent, have at all times  
 32740 been desirous of fulfilling their treaty with the United States,  
 32741 with perfect good faith; and for that purpose found themselves  
 32742 compelled, since the commencement of the late war, to separate  
 32743 themselves from the rest of their nation, and remove to the Mis-  
 32744 souri River, where they have continued to give proofs of their  
 32745 friendship and fidelity; and

32746       Whereas the United States, justly appreciating the conduct  
 32747 of said Indians, are disposed to do them the most ample justice  
 32748 that is practicable, the said parties have agreed to the follow-  
 32749 ing articles :

32750       ARTICLE 1. The undersigned chiefs and warriors, for them-  
 32751 selves and that portion of the Sacs which they represent, do  
 32752 hereby assent to the treaty between the United States of Amer-  
 32753 ica and the united tribes of Sacs and Foxes, which was con-  
 32754 cluded at St. Louis, on the third day of November, one thousand  
 32755 eight hundred and four, (proclaimed February 21, 1805;) and  
 32756 they moreover promise to do all in their power to re-establish  
 32757 and enforce the same.

32758       ARTICLE 2. The said chiefs and warriors, for themselves and  
 32759 those they represent, do further promise to remain distinct and  
 32760 separate from the Sacs of Rock River, giving them no aid or as-  
 32761 sistance whatever, until peace shall also be concluded between  
 32762 the United States and the said Sacs of Rock River.

32763       ARTICLE 3. The United States, on their part, promise to al-  
 32764 low the said Sacs of the Missouri River all the rights and privi-  
 32765 leges secured to them by the treaty of St. Louis before mentioned,  
 32766 and also, as soon as practicable, to furnish them with a just pro-  
 32767 portion of the annuities stipulated to be paid by that treaty;  
 32768 provided they shall continue to comply with this and their former  
 32769 treaty.

32770       Ratified December 26, 1815.

32771

## SACS OF ROCK RIVER.

32772 *A treaty of peace and friendship made and concluded between Will-*  
 32773 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 32774 *sioners plenipotentiary of the United States of America, on the*  
 32775 *part and behalf of the said States, of the one part, and the un-*  
 32776 *dersigned chiefs and warriors of the Sacs of Rock River and*  
 32777 *the adjacent country, of the other part.*

32778 Whereas, by the ninth article of the treaty of peace, which  
 32779 was concluded on the twenty-fourth day of December, eighteen  
 32780 hundred and fourteen, between the United States and Great  
 32781 Britain, at Ghent, and which was ratified by the President, with  
 32782 the advice and consent of the Senate, on the seventeenth day of  
 32783 February, eighteen hundred and fifteen, it was stipulated that  
 32784 the said parties should severally put an end to all hostilities with  
 32785 the Indian tribes with whom they might be at war at the time  
 32786 of the ratification of said treaty, and to place the said tribes  
 32787 inhabiting their respective territories on the same footing upon  
 32788 which they stood before the war: *Provided*, They should agree  
 32789 to desist from all hostilities against the said parties, their citi-  
 32790 zens or subjects respectively, upon the ratification of the said  
 32791 treaty being notified to them, and should so desist accordingly ;  
 32792 and

32793 Whereas the United States being determined to execute  
 32794 every article of the treaty with perfect good faith, and wishing  
 32795 to be particularly exact in the execution of the article above  
 32796 alluded to, relating to the Indian tribes, the President, in  
 32797 consequence thereof, for that purpose, on the eleventh day of  
 32798 March, eighteen hundred and fifteen, appointed the undersigned  
 32799 William Clark, governor of Missouri Territory, Ninian Edwards,  
 32800 governor of Illinois Territory, and Auguste Chouteau, esq., of  
 32801 the Missouri Territory, commissioners, with full power to con-  
 32802 clude a treaty of peace and amity with all those tribes of Indians,  
 32803 conformably to the stipulations contained in the said article, on  
 32804 the part of the United States, in relation to such tribes ; and

32805 Whereas the commissioners, in conformity with their in-  
 32806 structions, in the early part of last year notified the Sacs of  
 32807 Rock River and the adjacent country of the time of the ratifi-  
 32808 cation of said treaty ; of the stipulations it contained in relation  
 32809 to them ; of the disposition of the American Government to  
 32810 fulfil those stipulations, by entering into a treaty with them con-  
 32811 formably thereto ; and invited the said Sacs of Rock River and  
 32812 the adjacent country to send forward a deputation of their chiefs  
 32813 to meet the said commissioners at Portage des Sioux, for the

32814 purpose of concluding such a treaty as aforesaid, between the  
 32815 United States and the said Indians; and the said Sacs of Rock  
 32816 River and the adjacent country having not only declined that  
 32817 friendly overture, but having continued their hostilities, and  
 32818 committed many depredations thereafter, which would have  
 32819 justified the infliction of the severest chastisement upon them,  
 32820 but having earnestly repented of their conduct, now imploring  
 32821 mercy, and being anxious to return to the habits of peace and  
 32822 friendship with the United States, and the latter being always  
 32823 disposed to pursue the most liberal and humane policy towards  
 32824 the Indian tribes within their territory, preferring their reclama-  
 32825 tion by peaceful measures to their punishment by the application  
 32826 of the military force of the nation: Now, therefore,

32827 The said William Clark, Ninian Edwards, and Auguste  
 32828 Chouteau, commissioners, as aforesaid, and the undersigned,  
 32829 chiefs and warriors, as aforesaid, for the purpose of restoring  
 32830 peace and friendship between the parties, do agree to the fol-  
 32831 lowing articles:

32832 . ARTICLE 1. The Sacs of Rock River and the adjacent  
 32833 country do hereby unconditionally assent to recognize, re-estab-  
 32834 lish, and confirm the treaty between the United States of  
 32835 America and the united tribes of Sacs and Foxes, which was  
 32836 concluded at St. Louis on the third day of November, one thou-  
 32837 sand eight hundred and four, as well as all other contracts and  
 32838 agreements heretofore made between the Sac tribe or nation and  
 32839 the United States.

32840 ARTICLE 2. The United States agree to place the aforesaid  
 32841 Sacs of Rock River on the same footing upon which they stood  
 32842 before the war, provided they shall, on or before the first day of  
 32843 July next, deliver up to the officer commanding at Cantonment  
 32844 Davis, on the Mississippi, all the property they, or any part of  
 32845 their tribe, have plundered or stolen from the citizens of the  
 32846 United States since they were notified, as aforesaid, of the time  
 32847 of the ratification of the late treaty between the United States  
 32848 and Great Britain.

32849 ARTICLE 3. If the said tribe shall fail or neglect to deliver  
 32850 up the property aforesaid, or any part thereof, on or before the  
 32851 first day of July aforesaid, they shall forfeit to the United States  
 32852 all right and title to their proportion of the annuities which, by  
 32853 the treaty of St. Louis, were covenanted to be paid to the Sac  
 32854 tribe; and the United States shall forever afterwards be exoner-  
 32855 ated from the payment of so much of said annuities as, upon  
 32856 a fair distribution, would fall to the share of that portion of the  
 32857 Sacs who are represented by the undersigned chiefs and war-  
 32858 riors.

32859 ARTICLE 4. This treaty shall take effect and be obligatory

32860 on the contracting parties, unless the same shall be disapproved  
 32861 by the President and Senate of the United States, or by the  
 32862 President only, and in the mean time all hostilities shall cease  
 32863 from this date.

32864 Proclaimed December 30, 1816.

32865 SACS AND FOXES.

32866 *A treaty between the United States of America and the united*  
 32867 *tribes of Sac and Fox Indians.*

32868 Articles of a treaty made at St. Louis, in the district of Louisiana,  
 32869 between William Henry Harrison, governor of the Indiana  
 32870 Territory and of the district of Louisiana, superintendant  
 32871 of Indians affairs for the said territory and district, and  
 32872 commissioner plenepotentiary of the United States for con-  
 32873 cluding any treaty or treaties which may be found neces-  
 32874 sary with any of the northwestern tribes of Indians, of the  
 32875 one part, and the chiefs and head-men of the united Sac  
 32876 and Fox tribes, of the other part.

32877 ARTICLE 1. The United States receive the united Sac and  
 32878 Fox tribes into their friendship and protection, and the said  
 32879 tribes agree to consider themselves under the protection of the  
 32880 United States, and of no other power whatsoever.

32881 ARTICLE 2. The general boundary-line between the lands  
 32882 of the United States and of the said Indian tribes shall be as  
 32883 follows, to wit: Beginning at a point on the Missouri River  
 32884 opposite to the mouth of the Gasconade River; thence in  
 32885 a direct course so as to strike the River Jefferson at the distance  
 32886 of thirty miles from its mouth, and down the said Jefferson to  
 32887 the Mississippi; thence up the Mississippi to the mouth of the  
 32888 Ouiskonsing River, and up the same to a point which shall be  
 32889 thirty-six miles in a direct line from the mouth of the said river;  
 32890 thence by a direct line to the point where the Fox River (a  
 32891 branch of the Illinois) leaves the small lake called Sakaegan;  
 32892 thence down the Fox River to the Illinois River, and down the  
 32893 same to the Mississippi. And the said tribes, for and in consid-  
 32894 eration of the friendship and protection of the United States  
 32895 which is now extended to them, of the goods (to the value of  
 32896 two thousand two hundred and thirty-four dollars and fifty  
 32897 cents) which are now delivered, and of the annuity hereinafter  
 32898 stipulated to be paid, do hereby cede and relinquish forever to  
 32899 the United States all the lands included within the above-de-  
 32900 scribed boundary.

32901       ARTICLE 3. In consideration of the cession and relinquish-  
 32902 ment of land made in the preceding article, the United States  
 32903 will deliver to the said tribes, at the town of St. Louis, or some  
 32904 other convenient place on the Mississippi, yearly and every year,  
 32905 goods suited to the circumstances [of the Indians, of the value  
 32906 of one thousand dollars, (six hundred of which are intended for  
 32907 the Sacs and four hundred for the Foxes,) reckoning that value at  
 32908 the first cost of the goods in the city or place in the United States  
 32909 where they shall be procured. And if the said tribes shall  
 32910 hereafter, at an annual delivery of the goods aforesaid, desire  
 32911 that a part of their annuity should be furnished in domestic  
 32912 animals, implements of husbandry, and other utensils convenient  
 32913 for them, or in compensation to useful artificers who may reside  
 32914 with or near them, and be employed for their benefit, the same  
 32915 shall at the subsequent annual delivery be furnished accord-  
 32916 ingly.

32917       ARTICLE 4. The United States will never interrupt the  
 32918 said tribes in the possession of the lands which they rightfully  
 32919 claim, but will on the contrary protect them in the quiet en-  
 32920 joyment of the same against their own citizens and against  
 32921 all other white persons who may intrude upon them. And the  
 32922 said tribes do hereby engage that they will never sell their lands  
 32923 or any part thereof to any sovereign power but the United  
 32924 States, nor to the citizens or subjects of any other sovereign  
 32925 power, nor to the citizens of the United States.

32926       ARTICLE 5. Lest the friendship which is now established  
 32927 between the United States and the said Indian tribes should be  
 32928 interrupted by the misconduct of individuals, it is hereby agreed  
 32929 that for injuries done by individuals, no private revenge or  
 32930 retaliation shall take place, but, instead thereof, complaints shall  
 32931 be made by the party injured to the other—by the said tribes or  
 32932 either of them to the superintendant of Indian affairs or one of  
 32933 his deputies, and by the superintendant or other person appointed  
 32934 by the President to the chiefs of the said tribes. And it shall  
 32935 be the duty of the said chiefs, upon complaint being made as  
 32936 aforesaid, to deliver up the person or persons against whom the  
 32937 complaint is made, to the end that he or they may be punished  
 32938 agreeably to the laws of the State or Territory where the offence  
 32939 may have been committed; and in like manner if any robbery,  
 32940 violence, or murder shall be committed on any Indian or Indians  
 32941 belonging to the said tribes or either of them, the person or per-  
 32942 sons so offending shall be tried, and, if found guilty, punished in  
 32943 the like manner as if the injury had been done to a white man.  
 32944 And it is further agreed that the chiefs of the said tribes shall,  
 32945 to the utmost of their power, exert themselves to recover horses  
 32946 or other property which may be stolen from any citizen or citi-

zens of the United States by any individual or individuals of their tribes, and the property so recovered shall be forthwith delivered to the superintendant or other person authorised to receive it, that it may be restored to the proper owner; and in cases where the exertions of the chiefs shall be ineffectual in recovering the property stolen as aforesaid, if sufficient proof can be obtained that such property was actually stolen by any Indian or Indians belonging to the said tribes or either of them, the United States may deduct from the annuity of the said tribes a sum equal to the value of the property which has been stolen. And the United States hereby guarantee to any Indian or Indians of the said tribes a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *Provided*, That the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States.

ARTICLE 6. If any citizen of the United States or other white person should form a settlement upon lands which are the property of the Sac and Fox tribes, upon complaint being made thereof to the superintendant or other person having charge of the affairs of the Indians, such intruder shall forthwith be removed.

ARTICLE 7. As long as the lands which are now ceded to the United States remain their property, the Indians belonging to the said tribes shall enjoy the privilege of living and hunting upon them.

ARTICLE 8. As the laws of the United States regulating trade and intercourse with the Indian tribes, are already extended to the country inhabited by the Saukes and Foxes, and as it is provided by those laws that no person shall reside as a trader in the Indian country without a license under the hand [and] seal of the superintendant of Indian affairs, or other person appointed for the purpose by the President, the said tribes do promise and agree that they will not suffer any trader to reside amongst them without such license; and that they will from time to time give notice to the superintendant or to the agent for their tribes of all the traders that may be in their country.

ARTICLE 9. Abrogated by the treaty of September 3, 1822, (proclaimed February 12, 1823, page 740.)

ARTICLE 10. In order to evince the sincerity of their friendship and affection for the United States, and a respectful deference for their advice by an act which will not only be acceptable to them but to the common Father of all the nations of the earth, the said tribes do hereby solemnly promise and agree that they will put an end to the bloody war which has heretofore raged

32993 between their tribes and those of the Great and Little Osages.  
 32994 And for the purpose of burying the tomahawk and renewing the  
 32995 friendly intercourse between themselves and the Osages, a meet-  
 32996 ing of their respective chiefs shall take place, at which, under  
 32997 the direction of the above-named commissioner or the agent of  
 32998 Indian affairs residing at St. Louis, an adjustment of their  
 32999 differencies shall be made, and peace established upon a firm and  
 33000 lasting basis.

33001 ARTICLE 11. As it is probable that the Government of the  
 33002 United States will establish a military post at or near the mouth  
 33003 of the Ouisconsing River, and as the land on the lower side of  
 33004 the river may not be suitable for that purpose, the said tribes  
 33005 hereby agree that a fort may be built either on the upper side of  
 33006 the Ouisconsing or on the right bank of the Mississippi, as the  
 33007 one or the other may be found most convenient, and a tract of  
 33008 land not exceeding two miles square shall be given for that pur-  
 33009 pose. And the said tribes do further agree that they will at all  
 33010 times allow to traders and other persons travelling through their  
 33011 country under the authority of the United States a free and safe  
 33012 passage for themselves and their property of every discription.  
 33013 And that for such passage they shall at no time and on no account  
 33014 whatever be subject to any toll or exaction.

33015 ARTICLE 12. This treaty shall take effect and be obligatory  
 33016 on the contracting parties as soon as the same shall have been  
 33017 ratified by the President, by and with the advice and consent of  
 33018 the Senate of the United States.

33019

*Additional article.*

33020 It is agreed that nothing in this treaty contained shall affect  
 33021 the claim of any individual or individuals who may have obtained  
 33022 grants of land from the Spanish government, and which are not  
 33023 included within the general boundary-line laid down in this treaty:  
 33024 *Provided*, That such grant have at any time been made known to  
 33025 the said tribes, and recognized by them.

33026 Proclaimed February 21, 1805.

33027 *Articles of a treaty entered into and concluded at Fort Armstrong,*  
 33028 *by and between Thomas Forsyth, agent of Indian affairs, au-*  
 33029 *thorized on the part of the United States for that purpose, of the*  
 33030 *one part, and the chiefs, warriors, and head-men of the United*  
 33031 *Sac and Fox tribes, for themselves and their tribes, of the other*  
 33032 *part.*

33033 Whereas by the ninth article of the treaty made and entered  
 33034 into between the United States and the Sac and Fox tribes of

33035 Indians, concluded and signed at Saint Louis, in the district of  
 33036 Louisiana, on the third day of November, one thousand eight  
 33037 hundred and four, it is stipulated, in order to put a stop to the  
 33038 abuses and impositions which are practised upon the said tribes  
 33039 by the private traders, the United States will, at a convenient  
 33040 time, establish a trading-house or factory, where the individuals  
 33041 of the said tribes can be supplied with goods at a more reason-  
 33042 able rate than they have been accustomed to procure them.  
 33043 Now, we, the said chiefs, warriors, and head-men of the said  
 33044 tribes, for and in consideration of the sum of one thousand dol-  
 33045 lars to us now paid in merchandize out of the United States  
 33046 factory, by said Thomas Forsyth, on behalf of the United States,  
 33047 the receipt whereof is hereby acknowledged, do exonerate, re-  
 33048 lease, and forever discharge the United States from the obliga-  
 33049 tion contained in the ninth article above recited, and the afore-  
 33050 said ninth article is, from the date hereof, abrogated and of no  
 33051 effect.

33052 Proclaimed February 12, 1823.

33053 *Treaty with the Sock and Fox Indians.*

33054 To perpetuate peace and friendship between the United  
 33055 States and the Sock and Fox tribes or nations of Indians, and  
 33056 to remove all future cause of dissensions which may arise from  
 33057 undefined territorial boundaries, the President of the United  
 33058 States of America, by William Clark, superintendent of Indian  
 33059 affairs, and sole commissioner specially appointed for that pur-  
 33060 pose, of the one part, and the undersigned chiefs and head-men  
 33061 of the Sock and Fox tribes or nations, fully deputed to act  
 33062 for and in behalf of their said nations, of the other part, have  
 33063 entered into the following articles and conditions, viz :

33064 ARTICLE 1. The Sock and Fox tribes or nations of Indians,  
 33065 by their deputations in council assembled, do hereby agree, in  
 33066 consideration of certain sums of money, &c., to be paid to the  
 33067 said Sock and Fox tribes, by the Government of the United  
 33068 States, as hereinafter stipulated, to cede and forever quit-claim,  
 33069 and do, in behalf of their said tribes or nations, hereby cede,  
 33070 relinquish, and forever quit-claim, unto the United States, all  
 33071 right, title, interest, and claim, to the lands which the said Sock  
 33072 and Fox tribes have or claim, within the limits of the State of  
 33073 Missouri, which are situated, lying, and being between the Mis-  
 33074 sissippi and Missouri Rivers, and a line running from the Mis-  
 33075 sissippi, at the entrance of Kansas River, north one hundred miles  
 33076 to the northwest corner of the State of Missouri, and from  
 33077 thence east to the Mississippi. It being understood that the  
 33078 small tract of land lying between the rivers Desmoin and the

33079 Mississippi, and the section of the above line between the Mis-  
 33080 sissippi and the Desmoin, is intended for the use of the half-  
 33081 breeds belonging to the Sock and Fox Nations ; they holding it,  
 33082 however, by the same title, and in the same manner, that other  
 33083 Indian titles are held.

33084 ARTICLE 2. The chiefs and head-men who sign this conven-  
 33085 tion, for themselves and in behalf of their tribes, do acknowl-  
 33086 edge the lands east and south of the lines described in the first  
 33087 article, so far as the Indians claimed the same, to belong to the  
 33088 United States, and that none of their tribes shall be permitted  
 33089 to settle or hunt upon any part of it, after the first day of Jan-  
 33090 uary, 1826, without special permission from the superintendent  
 33091 of Indian affairs.

33092 ARTICLE 3. It is hereby stipulated and agreed on the part  
 33093 of the United States, as a full consideration for the claims and  
 33094 lands ceded by the Sock and Fox tribes in the first article, there  
 33095 shall be paid to the Sock and Fox Nations, within the present  
 33096 year, one thousand dollars in cash, or merchandize ; and in ad-  
 33097 dition to the annuities stipulated to be paid to the Sock and  
 33098 Fox tribes by a former treaty, the United States do agree to  
 33099 pay to the said Sock tribe five hundred dollars, and to the Fox  
 33100 tribe five hundred dollars annually for the term of ten succeed-  
 33101 ing years ; and, at the request of the chiefs of the said Sock  
 33102 and Fox Nations, the commissioner agrees to pay to Morice  
 33103 Blondeau, a half Indian of the Fox tribe, the sum of five hun-  
 33104 dred dollars, it being a debt due by the said nation to the afore-  
 33105 said Blondeau, for property taken from him during the late war.

33106 ARTICLE 4. The United States engage to provide and sup-  
 33107 port a blacksmith for the Sock and Fox Nations so long as the  
 33108 President of the United States may think proper, and to furnish  
 33109 the said nations with such farming-utensils and cattle, and to  
 33110 employ such persons to aid them in their agriculture, as the  
 33111 President may deem expedient.

33112 ARTICLE 5. The annuities stipulated to be paid by the  
 33113 3d article are to be paid either in money, merchandize, pro-  
 33114 visions, or domestic animals, at the option of the aforesaid  
 33115 tribes, and when the said annuities or part thereof is paid in  
 33116 merchandize, it is to be delivered to them at the first cost of the  
 33117 goods at St. Louis, free from cost of transportation.

33118 ARTICLE 6. This treaty shall take effect and be obligatory  
 33119 on the contracting parties so soon as the same shall be ratified  
 33120 by the President of the United States, by and with the advice  
 33121 and consent of the Senate thereof.

33122 Proclaimed January 18, 1825.

33123 *Articles of a treaty of peace, friendship, and cession, concluded at*  
 33124 *Fort Armstrong, Rock Island, Illinois, between the United*  
 33125 *States of America, by their commissioners, Major-General Win-*  
 33126 *field Scott, of the United States Army, and his Excellency*  
 33127 *John Reynolds, governor of the State of Illinois, and the con-*  
 33128 *federated tribes of Sac and Fox Indians, represented, in general*  
 33129 *council, by the undersigned chiefs, head-men, and warriors.*

33130 Whereas under certain lawless and desperate leaders a  
 33131 formidable band, constituting a large portion of the Sac and  
 33132 Fox Nation, left their country in April last, and, in violation of  
 33133 treaties, commenced an unprovoked war upon unsuspecting and  
 33134 defenceless citizens of the United States, sparing neither age  
 33135 nor sex; and

33136 Whereas the United States, at a great expense of treasure,  
 33137 have subdued the said hostile band, killing or capturing all its  
 33138 principal chiefs and warriors, the said States, partly as indem-  
 33139 nity for the expense incurred, and partly to secure the future  
 33140 safety and tranquility of the invaded frontier, demand of the  
 33141 said tribes, to the use of the United States, a cession of a tract  
 33142 of the Sac and Fox country bordering on said frontier more than  
 33143 proportional to the numbers of the hostile band who have been  
 33144 so conquered and subdued.

33145 ARTICLE 1. Accordingly the confederated tribes of Sacs  
 33146 and Foxes hereby cede to the United States forever all the  
 33147 lands to which the said tribes have title or claim (with the ex-  
 33148 ception of the reservation hereinafter made) included within  
 33149 the following bounds, to wit: Beginning on the Mississippi  
 33150 River at the point where the Sac and Fox northern boundary-  
 33151 line, as established by the second article of the treaty of Prai-  
 33152 rie du Chien, of the fifteenth of July, one thousand eight hun-  
 33153 dred and thirty, (proclaimed February 24, 1831; see page 782,)   
 33154 strikes said river; thence up said boundary-line to a point fifty  
 33155 miles from the Mississippi, measured on said line; thence in a  
 33156 right line to the nearest point on the Red Cedar of the Ioway,  
 33157 forty miles from the Mississippi River; thence in a right line  
 33158 to a point in the northern boundary-line of the State of Missouri  
 33159 fifty miles, measured on said boundary, from the Mississippi  
 33160 River; thence by the last-mentioned boundary to the Mississippi  
 33161 River and by the western shore of said river to the place of  
 33162 beginning. And the said confederated tribes of Sacs and Foxes  
 33163 hereby stipulate and agree to remove from the lands herein  
 33164 ceded to the United States on or before the first day of June  
 33165 next; and, in order to prevent any misunderstanding, it is ex-  
 33166 pressly understood that no band or party of the Sac or Fox  
 33167 tribes shall reside, plant, fish, or hunt on any portion of the  
 33168 ceded country after the period just mentioned.

33169       ARTICLE 2. Out of the cession made in the preceding arti-  
 33170 cle the United States agree to a reservation for the use of the  
 33171 said confederated tribes of a tract of land containing four hun-  
 33172 dred square miles, to be laid off under the directions of the  
 33173 President of the United States, from the boundary-line crossing  
 33174 the Ioway River, in such manner that nearly an equal portion  
 33175 of the reservation may be on both sides of said river, and ex-  
 33176 tending downwards so as to include Ke-o-kuck's principal vil-  
 33177 lage on its right bank, which village is about twelve miles from  
 33178 the Mississippi River.

33179       ARTICLE 3. In consideration of the great extent of the  
 33180 foregoing cession the United States stipulate and agree to pay  
 33181 to the said confederated tribes annually for thirty successive  
 33182 years, the first payment to be made in September of the next  
 33183 year, the sum of twenty thousand dollars in specie.

33184       ARTICLE 4. It is further agreed that the United States  
 33185 shall establish and maintain within the limits and for the use  
 33186 and benefit of the Sacs and Foxes for the period of thirty years  
 33187 one additional black and gun smith shop, with the necessary  
 33188 tools, iron and steel; and, finally, make a yearly allowance for  
 33189 the same period to the said tribes of forty kegs of tobacco and  
 33190 forty barrels of salt, to be delivered at the mouth of the Ioway  
 33191 River.

33192       ARTICLE 5. The United States, at the earnest request of  
 33193 the said confederated tribes, further agree to pay to Farnham  
 33194 and Davenport, Indian traders at Rock Island, the sum of forty  
 33195 thousand dollars, without interest, which sum will be in full sat-  
 33196 isfaction of the claims of the said traders against the said tribes,  
 33197 and by the latter was, on the tenth day of July, one thousand  
 33198 eight hundred and thirty-one, acknowledged to be justly due for  
 33199 articles of necessity furnished in the course of the seven preced-  
 33200 ing years, in an instrument of writing of said date duly signed  
 33201 by the chiefs and head-men of said tribes, and certified by the  
 33202 late Felix St. Vrain, United States agent, and Antoine Le  
 33203 Claire, United States interpreter, both for the said tribes.

33204       ARTICLE 6. At the special request of the said confederated  
 33205 tribes the United States agree to grant, by patent, in fee-sim-  
 33206 ple, to Antoine Le Claire, interpreter, a part Indian, one section  
 33207 of land opposite Rock Island, and one section at the head of the  
 33208 first rapids above said island, within the country herein ceded  
 33209 by the Sacs and Foxes.

33210       ARTICLE 7. Trusting to the good faith of the neutral bands  
 33211 of Sacs and Foxes, the United States have already delivered up  
 33212 to those bands the great mass of prisoners made in the course  
 33213 of the war by the United States, and promise to use their influ-  
 33214 ence to procure the delivery of other Sacs and Foxes who may

33215 still be prisoners in the hands of a band of Sioux Indians, the  
 33216 friends of the United States; but the following-named prisoners  
 33217 of war now in confinement, who were chiefs and head-men,  
 33218 shall be held as hostages for the future good conduct of the late  
 33219 hostile bands during the pleasure of the President of the  
 33220 United States, viz: Muk-ka-ta-mish-a-ka-kaik (or Black Hawk)  
 33221 and his two sons; Wau-ba-kee-shik, (the Prophet,) his brother,  
 33222 and two sons; Na-pope, We-sheet Ioway, Pamaho, and Cha-  
 33223 kee-pa-shi-pa-ho, (the Little Stabbing Chief.)

33224 ARTICLE 8. And it is further stipulated and agreed be-  
 33225 tween the parties to this treaty that there shall never be allowed  
 33226 in the confederated Sac and Fox Nation any separate band or  
 33227 village under any chief or warrior of the late hostile bands;  
 33228 but that the remnant of the said hostile bands shall be divided  
 33229 among the neutral bands of the said tribes according to blood—  
 33230 the Sacs among the Sacs, and the Foxes among the Foxes.

33231 ARTICLE 9. In consideration of the premises, peace and  
 33232 friendship are declared, and shall be perpetually maintained be-  
 33233 tween the United States and the whole confederated Sac and  
 33234 Fox Nation, excepting from the latter the hostages before men-  
 33235 tioned.

33236 ARTICLE 10. The United States, besides the presents deliv-  
 33237 ered at the signing of this treaty, wishing to give a striking  
 33238 evidence of their mercy and liberality, will immediately cause  
 33239 to be issued to the said confederated tribes, principally for the  
 33240 use of the Sac and Fox women and children whose husbands,  
 33241 fathers, and brothers have been killed in the late war, and gen-  
 33242 erally for the use of the whole confederated tribes, articles of  
 33243 subsistence as follows: thirty-five beef-cattle, twelve bushels of  
 33244 salt, thirty barrels of pork, and fifty barrels of flour, and cause  
 33245 to be delivered for the same purposes in the month of April  
 33246 next at the mouth of the Lower Ioway, six thousand bushels of  
 33247 maize or Indian corn.

33248 ARTICLE 11. At the request of the said confederated tribes  
 33249 it is agreed that a suitable present shall be made to them on  
 33250 their pointing out to any United States agent authorised for the  
 33251 purpose the position or positions of one or more mines sup-  
 33252 posed by the said tribes to be of a metal more valuable than  
 33253 lead or iron.

33254 ARTICLE 12. This treaty shall take effect and be obligatory  
 33255 on the contracting parties as soon as the same shall be ratified  
 33256 by the President of the United States, by and with the advice  
 33257 and consent of the Senate thereof.

33258 Proclaimed February 13, 1833.

33259

*Convention with the Sac and Fox tribe.*

33260 In a convention held this twenty-seventh day of September,  
 33261 1836, between Henry Dodge, superintendent of Indian affairs,  
 33262 and the chiefs, braves, and principal men of the Sac and Fox  
 33263 tribe of Indians, it has been represented that, according to the  
 33264 stipulations of the first article of the treaty of Prairie du Chien,  
 33265 of the 15th July, 1830, (see page 782,) the country thereby  
 33266 is "to be assigned and allotted, under the direction of the Presi-  
 33267 dent of the United States, to the tribes now living thereon, or  
 33268 to such other tribes as the President may locate thereon, for  
 33269 hunting and other purposes." And;

33270 Whereas it is further represented to us, the chiefs, braves,  
 33271 and principal men of the tribe aforesaid, to be desirable that  
 33272 the lands lying between the State of Missouri and the Missouri  
 33273 River should be attached to, and become a part of, said State,  
 33274 and the Indian title thereto be entirely extinguished, but  
 33275 that, notwithstanding, as these lands compose a part of the  
 33276 country embraced by the provisions of said first article of the  
 33277 treaty aforesaid, the stipulations thereof will be strictly observed  
 33278 until the assent of the Indians interested is given to the pro-  
 33279 posed measure;

33280 Now we, the chiefs, braves, and principal men of the Sac  
 33281 and Fox tribes of Indians, fully understanding the subject, and  
 33282 well satisfied from the local position of the lands in question,  
 33283 that they can never be made available for Indian purposes, and  
 33284 that an attempt to place an Indian population on them must  
 33285 inevitably lead to collisions with the citizens of the United  
 33286 States; and further believing that the extension of the State-  
 33287 line in the direction indicated would have a happy effect, by  
 33288 presenting a natural boundary between the whites and Indians;  
 33289 and willing, moreover, to give the United States a renewed  
 33290 evidence of our attachment and friendship, do hereby, for our-  
 33291 selves and on behalf of our respective tribes, (having full power  
 33292 and authority to this effect,) forever cede, relinquish, and quit-  
 33293 claim to the United States all our right, title, and interest of  
 33294 whatsoever nature in and to the lands lying between the State  
 33295 of Missouri and the Missouri River, and do freely and fully  
 33296 exonerate the United States from any guarantee, condition, or  
 33297 limitation, expressed or implied, under the treaty of Prairie du  
 33298 Chien aforesaid, or otherwise, as to the entire and absolute dis-  
 33299 position of the said lands, fully authorizing the United States  
 33300 to do with the same whatever shall seem expedient or neces-  
 33301 sary.

33302

Proclaimed February 25, 1837.

33303 *Articles of a treaty made and entered into at the treaty-ground on*  
 33304 *the right bank of the Mississippi River, in the county of De-*  
 33305 *buque and Territory of Wisconsin, opposite Rock Island, on the*  
 33306 *twenty-eight day of September, one thousand eight hundred and*  
 33307 *sixty-six, between Henry Dodge, commissioner on the part of*  
 33308 *the United States, of the one part, and the confederated tribes of*  
 33309 *Sac and Fox Indians, represented in general council by the un-*  
 33310 *dersigned chiefs, head-men, and warriors of the said tribes, of*  
 33311 *the other part.*

33312       Whereas by the second article of the treaty made between  
 33313 the United States and the confederated tribes of Sac and Fox  
 33314 Indians on the twenty-first day of September, one thousand eight  
 33315 hundred and thirty-two, (proclaimed February 13, 1833; see  
 33316 page 744,) a reservation of four hundred sections of land  
 33317 was made to the Sac and Fox Indians, to be laid off under  
 33318 the direction of the President of the United States in conform-  
 33319 ity to the provisions of said article, and the same having been  
 33320 so subsequently laid out accordingly, and the confederated  
 33321 tribes of Sacs and Foxes being desirous of obtaining additional  
 33322 means of support, and to pay their just creditors, have entered  
 33323 into this treaty, and make the following cession of land:

33324       ARTICLE 1. The confederated tribes of Sacs and Foxes, for  
 33325 the purpose above expressed, and for and in consideration of  
 33326 the stipulations and agreements hereinafter expressed, do hereby  
 33327 cede to the United States forever the said reservation of four  
 33328 hundred sections of land as designated in the second article of  
 33329 the treaty made between the United States and the confederated  
 33330 tribes of Sacs and Foxes, as the same has been surveyed and  
 33331 laid off by order of the President of the United States.

33332       ARTICLE 2. In consideration of the cession contained in the  
 33333 preceding article, the United States hereby agree as follows, to  
 33334 wit: To pay to the confederated tribes of the Sac and Fox In-  
 33335 dians, in the month of June, one thousand eight hundred and  
 33336 thirty-seven, the sum of thirty thousand dollars, and for ten  
 33337 successive years thereafter the sum of ten thousand dollars each  
 33338 year in specie, to be paid at the treaty-ground opposite Rock  
 33339 Island, or such other place as may be designated by the Pres-  
 33340 ident of the United States; to pay to the widow and children of  
 33341 Felix St. Urain, deceased, former Indian agent, who was killed  
 33342 by the Indians, one thousand dollars; and also to pay the sum  
 33343 of forty-eight thousand four hundred and fifty-eight dollars  
 33344 eighty-seven and a half cents, to enable said Indians to pay such  
 33345 debts as may be ascertained by their superintendent to be justly  
 33346 due from them to individuals, and if said debts so ascertained  
 33347 to be just amount to more than said sum, then the same

33348 shall be divided among the said creditors *pro rata*; and, if less,  
 33349 then the overplus to be paid to said Indians for their own use.

33350 ARTICLE 3. The United States further agree to deliver to  
 33351 the confederated tribes of Sacs and Foxes two hundred horses,  
 33352 as near that number as can be procured with the sum of nine  
 33353 thousand three hundred and forty-one dollars, to be delivered at  
 33354 the payment of the annuities in June, one thousand eight hun-  
 33355 dred and thirty-seven.

33356 ARTICLE 4. At the special request of the Sac and Fox In-  
 33357 dians aforesaid, the United States agree to make the following  
 33358 provision for the benefit and support of seven half-breeds of the  
 33359 Sac and Fox Nation, to wit: The United States agree to pay to  
 33360 ——— Wayman, for the use and benefit of his half-breed child  
 33361 by a Fox woman named Ni-an-no, one thousand dollars; to  
 33362 Wharton R. McPhearson, for the use and benefit of his half-  
 33363 breed child by To-to-quaa, a Fox woman, one thousand dollars; to  
 33364 James Thorn, for the use and benefit of his half-breed child by  
 33365 Ka-kee-o-sa-quaa, a Fox woman, one thousand dollars; to Joseph  
 33366 Smart, for the use of his half-breed child by Ka-ti-quaa, a Fox  
 33367 woman, one thousand dollars; to Nathan Smith, for the use and  
 33368 benefit of his half-breed child by Wa-na-sa, a Sac woman, one  
 33369 thousand dollars; and to Joseph M. Street, Indian agent, two  
 33370 thousand dollars for the use and benefit of two half-breed  
 33371 children—one the child of Niwa-ka-kee, a Fox woman, by one  
 33372 Mitchell; the other the child of Ni-an-na by Amos Farrar—the  
 33373 two thousand dollars to be put at interest, and so much of said  
 33374 interest arising therefrom to be expended for the benefit of the  
 33375 children as said agent shall deem proper and necessary; and  
 33376 when each shall arrive at the age of twenty years, the said agent  
 33377 shall pay to each half-breed one thousand dollars and any bal-  
 33378 ance of interest remaining in his hands at the time.

33379 ARTICLE 5. At the special request of the said confederated  
 33380 tribes of Sac and Fox Indians, it is further agreed by the United  
 33381 States to pay to Joseph M. Street, their agent, two hundred dol-  
 33382 lars for the use and benefit of Thompson Connoly and James  
 33383 Connoly, children of their friend John Connoly, deceased, to be  
 33384 by said agent put at interest and expended on the education of  
 33385 said Thompson and James Connoly, children of said John Con-  
 33386 noly, deceased.

33387 ARTICLE 6. The said confederated tribes of Sac and Fox  
 33388 Indians hereby stipulate and agree to remove from off the lands  
 33389 herein in the first article of this treaty ceded to the United  
 33390 States, by the first of November next ensuing the date hereof,  
 33391 and, in order to prevent any future misunderstanding, it is ex-  
 33392 pressly agreed and understood that no band or party of the said  
 33393 confederated tribes of Sac and Fox Indians shall plant, fish, or

33394 hunt on any portion of the country herein ceded after the period  
33395 just mentioned.

33396 ARTICLE 6. This treaty shall be obligatory on the contract-  
33397 ing parties after it shall be ratified by the President and Senate  
33398 of the United States.

33399 [The Ioway Indians having set up a claim to a part of the  
33400 lands ceded by this treaty, it is therefore hereby provided that  
33401 the President of the United States shall cause the validity and  
33402 extent of said claim to be ascertained, and upon a relinquish-  
33403 ment of said claim to the United States, he shall cause the  
33404 reasonable and fair value thereof to be paid to said Ioway In-  
33405 dians, and the same amount to be deducted from the sum stipu-  
33406 lated to be paid to the said Sacs and Foxes.]

33407 Proclaimed February 27, 1837.

33408 *Articles of a treaty made and entered into at the treaty-ground on*  
33409 *the right bank of the Mississippi River, in the county of De-*  
33410 *buque and Territory of Wisconsin, opposite Rock Island, on the*  
33411 *twenty-eighth day of September, one thousand eight hundred*  
33412 *and thirty-six, between Henry Dodge, commissioner on the part*  
33413 *of the United States, of the one part, and the confederated tribes*  
33414 *of Sac and Fox Indians, represented in general council by the*  
33415 *undersigned chiefs, head-men, and warriors of the said tribes, of*  
33416 *the other part:*

33417 Whereas by the second article of the treaty made between  
33418 the United States and the confederate tribes of the Sac and Fox  
33419 Indians on the twenty-first day of September, one thousand  
33420 eight hundred and thirty-two, a reservation of four hundred  
33421 sections of land was made to the Sac and Fox Indians, to be  
33422 laid off under the directions of the President of the United  
33423 States in conformity to the provisions of said article, and the  
33424 same having been so subsequently laid out accordingly, and the  
33425 confederated tribes of Sacs and Foxes being desirous of obtain-  
33426 ing additional means of support, and to pay their just creditors,  
33427 have entered into this treaty, and make the following cession of  
33428 land.

33429 ARTICLE 1. The confederated tribes of Sacs and Foxes, for  
33430 the purposes above expressed, and for and in consideration of  
33431 the stipulations and agreements hereinafter expressed, do here-  
33432 by cede to the United States forever the said reservation of four  
33433 hundred sections of land as designated in the second article of  
33434 the treaty made between the United States and the confederated  
33435 tribes of Sacs and Foxes, (see page 744,) as the same has been  
33436 surveyed and laid off by order of the President of the United  
33437 States.

33438 ARTICLE 2. In consideration of the cession contained in the  
 33439 preceding article, the United States hereby agree as follows, to  
 33440 wit: To pay to the confederated tribes of the Sac and Fox In-  
 33441 dians, in the month of June, one thousand eight hundred and  
 33442 thirty-seven, the sum of thirty thousand dollars, and for ten  
 33443 successive years thereafter the sum of ten thousand dollars, each  
 33444 year in specie, to be paid at the treaty-ground opposite Rock  
 33445 Island; to pay to the widdow and children of Felix St. Vrain,  
 33446 deceased, former Indian agent, who was killed by the Indians,  
 33447 one thousand dollars; to pay to the following-named persons  
 33448 the sums set opposite to their names respectively, being the  
 33449 one-half of the amount agreed to be due and owing by the con-  
 33450 federated tribes of Sacs and Foxes to their creditors, provided  
 33451 said creditors will wait for the other half untill the same can be  
 33452 paid out of their annuities, for which purpose the Sacs and  
 33453 Foxes will set apart the sum of five thousand dollars each year,  
 33454 beginning in one thousand eight hundred and thirty-eight, out  
 33455 of their annuities to be paid upon said debts, in the proper pro-  
 33456 portion, untill the whole amount is discharged; to wit: To John  
 33457 Campbell, ten thousand dollars; to Jeremiah Smith, six hundred  
 33458 and forty dollars; to Stephen Dubois, three hundred and five  
 33459 dollars and twenty cents; to Nathaniel Knapp, one hundred dol-  
 33460 lars; to Wharton R. McPhearson, two hundred and fifty dollars;  
 33461 to S. S. Phelps & Co., four thousand dollars; to Jesse W. Shull,  
 33462 five hundred dollars; to James Jordan, one hundred and fifty  
 33463 dollars; to John R. Campbell, fifteen dollars; to Amos Farrar, one  
 33464 hundred dollars; to the owners of the S. boat Warrior, one hun-  
 33465 dred and sixty-two dollars and seventy-five cents; to George  
 33466 Davenport, two thousand five hundred and sixty-three dollars  
 33467 and fifty cents; to Madame St. Ament, five hundred dollars; to  
 33468 Madame Joseph Gunville, five hundred dollars; to Madame Le  
 33469 Claire, one hundred and twenty-five dollars; to Miss Blondeau,  
 33470 one hundred and twenty-five dollars; to Antoine Le Claire, two  
 33471 thousand four hundred and thirty-six dollars and fifty cents; to  
 33472 Francis Labachiere, one thousand one hundred and sixty-seven  
 33473 dollars and seventy-five cents; to Pratte Chouteau & Co., twenty  
 33474 thousand three hundred and sixty-two dollars and forty-two and  
 33475 a half cents; to Nathaniel Patterson, four hundred and fifty-six  
 33476 dollars.†

33477 ARTICLE 3. The United States further agree to deliver to  
 33478 the confederated tribes of Sacs and Foxes two hundred horses,  
 33479 as near that number as can be procured with the sum of nine  
 33480 thousand three hundred and forty-one dollars, to be delivered  
 33481 at the payment of the annuities in June, one thousand eight  
 33482 hundred and thirty-seven.

33483 ARTICLE 4. At the special request of the Sac and Fox In-

33484 dians aforesaid, the United States agree to make the following  
 33485 provisions for the benefit and support of seven half-breeds of the  
 33486 Sac and Fox Nation, to wit: The United States agree to pay to  
 33487 ——— Wayman, for the use and benefit of his half-breed child by  
 33488 a Fox woman named Ni-an-no, one thousand dollars; to Whar-  
 33489 ton R. McPherson, for the use and benefit of his half-breed child  
 33490 by To-to-qua, a Fox woman, one thousand dollars; to James  
 33491 Thorn, for the use and benefit of his half-breed child by Ka-kee-  
 33492 o-sa-qua, a Fox woman, one thousand dollars; to Joseph Smart,  
 33493 for the use of his half-breed child by Ka-ti-qua, a Fox woman,  
 33494 one thousand dollars; to Nathan Smith, for the use and benefit  
 33495 of his half-breed child by Wa-na-sa, a Sac woman, one thousand  
 33496 dollars, and to Joseph M. Street, Indian agent, two thousand  
 33497 dollars for the use and benefit of two half-breed children—one the  
 33498 child of Niwa-ka-kee, a Fox woman, by one Mitchell; the other  
 33499 the child of Ni-an-na by Amos Farrar—the two thousand dollars  
 33500 to be put at interest, and so much of said interest arising there-  
 33501 from to be expended for the benefit of the children as said  
 33502 agent shall deem proper and necessary, and when each shall  
 33503 arrive at the age of twenty years the said agent shall pay to  
 33504 each half-breed one thousand dollars and any balance of interest  
 33505 remaining in his hands at the time.

33506 ARTICLE 6. At the special request of the said confederated  
 33507 tribes of Sac and Fox Indians it is further agreed by the United  
 33508 States to pay to Joseph M. Street, their agent, two hundred  
 33509 dollars for the use and benefit of Thompson Connoly and James  
 33510 Connoly, children of their friend John Connoly, deceased, to be  
 33511 by said agent put at interest and expended on the education of  
 33512 said Thompson and James Connoly, children of said John Con-  
 33513 noly, deceased.

33514 ARTICLE 6. The said confederated tribes of Sac and Fox  
 33515 Indians hereby stipulate and agree to remove from off the lands  
 33516 herein in the first article of this treaty ceded to the United States,  
 33517 by the first day of November next ensuing the date hereof; and,  
 33518 in order to prevent any future misunderstanding, it is expressly  
 33519 agreed and understood that no band or party of the said con-  
 33520 federated tribes of Sac and Fox Indians shall plant, fish, or  
 33521 hunt on any portion of the country herein ceded after the period  
 33522 just mentioned.

33523 ARTICLE 6. This treaty shall be obligatory on the contract-  
 33524 ing parties after it shall be ratified by the President and Senate  
 33525 of the United States.

33526 Proclaimed December 13, 1837.

33527 *Articles of a treaty made at the city of Washington between Carey*  
 33528 *A. Harris, Commissioner of Indian Affairs, thereto author-*  
 33529 *ized by the President of the United States, and the confed-*  
 33530 *erated tribes of Sacs and Foxes, by their chiefs and delegates.*

33531 ARTICLE 1. The Sacs and Foxes make to the United States  
 33532 the following cessions:

33533 First. Of a tract of country containing 1,250,000 (one million  
 33534 two hundred and fifty thousand) acres lying west and adjoining  
 33535 the tract conveyed by them to the United States in the treaty  
 33536 of September 21st, 1832. It is understood that the points of (see  
 33537 page 744) termination for the present cession shall be the  
 33538 northern and southern points of said tract as fixed by the survey  
 33539 made under the authority of the United States, and that a line  
 33540 shall be drawn between them, so as to intersect a line extended  
 33541 westwardly from the angle of said tract nearly opposite to Rock  
 33542 Island, as laid down in the above survey, so far as may be neces-  
 33543 sary to include the number of acres hereby ceded, which last.  
 33544 mentioned line, it is estimated, will be about twenty-five miles.

33545 Second. Of all right or interest in the land ceded by said  
 33546 confederated tribes on the 15th of July, 1830, which might be  
 33547 claimed by them, under the phraseology of the first article of  
 33548 said treaty.

33549 ARTICLE 2. In consideration of the cessions contained in  
 33550 the preceding article, the United States agree to the following  
 33551 stipulations on their part:

33552 First. To cause the land ceded to be surveyed at the ex-  
 33553 pense of the United States, and permanent and prominent land-  
 33554 marks established in the presence of a deputation of the chiefs  
 33555 of said confederated tribes.

33556 Second. To pay the debts of the confederated tribes which  
 33557 may be ascertained to be justly due, and which may be admitted  
 33558 by the Indians, to the amount of one hundred thousand dollars,  
 33559 (\$100,000:) *Provided*, That if all their just debts amount to more  
 33560 than this sum, then their creditors are to be paid *pro rata* upon  
 33561 their giving receipts in full; and if said debts fall short of said  
 33562 sum, then the remainder to be paid to the Indians: *And pro-*  
 33563 *vided also*, That no claim for depredations shall be paid out of  
 33564 said sum.

33565 Third. To deliver to them goods suited to their wants, at  
 33566 cost, to the amount of twenty-eight thousand five hundred dol-  
 33567 lars, (\$28,500.)

33568 Fourth. To expend in the erection of two grist-mills, and  
 33569 the support of two millers for five years, ten thousand dollars,  
 33570 (\$10,000.)

33571 Fifth. To expend in breaking up and fencing in ground on

33572 the land retained by said confederate tribes, and for other bene-  
 33573 ficial objects, fourteen thousand dollars, (\$14,000.)\*

33574 Sixth. To supply them with provisions to the amount of five  
 33575 thousand dollars (\$5,000) a year for two years.\*

33576 Seventh. To expend in procuring the services of the neces-  
 33577 sary number of laborers, and for other objects connected with  
 33578 aiding them in agriculture, two thousand dollars (\$2,000) a year,  
 33579 for five years.

33580 Eighth. For the purchase of horses and presents, to be de-  
 33581 livered to the chiefs and delegates on their arrival at St. Louis,  
 33582 four thousand five hundred dollars, (\$4,500,) one thousand dol-  
 33583 lars (\$1,000) of which is in full satisfaction of any claim said  
 33584 tribe may have on account of the stipulation for blacksmiths in  
 33585 the treaty of 1832.

33586 Ninth. To invest the sum of two hundred thousand dollars  
 33587 (\$200,000) in safe State stocks, and to guarantee to the Indians  
 33588 an annual income of not less than five per cent., the said interest  
 33589 to be paid to them each year in the manner annuities are paid,  
 33590 at such time and place, and in money or goods, as the tribe may  
 33591 direct: *Provided*, That it may be competent for the President  
 33592 to direct that a portion of the same may, with the consent of the  
 33593 Indians, be applied to education or other purposes calculated  
 33594 to improve them.

33595 ARTICLE 3. The two blacksmiths' establishments and the  
 33596 gunsmith's establishment, to which the Sacs and Foxes are en-  
 33597 titled under treaties prior to this, shall be removed to and be  
 33598 supported in the country retained by them, and all other stipu-  
 33599 lations in former treaties inconsistent with this, or with their  
 33600 residence, and the transaction of their business on their retained  
 33601 land, are hereby declared void.

33602 ARTICLE 4. The Sacs and Foxes agree to remove from the  
 33603 tract ceded, with the exception of Keokuck's Village, possession  
 33604 of which may be retained for two years, within eight months  
 33605 from the ratification of this treaty.

33606 ARTICLE 5. The expenses of this negotiation and of the  
 33607 chiefs and delegates signing this treaty to this city and to their  
 33608 homes to be paid by the United States.

33609 ARTICLE 6. This treaty to be binding upon the contracting  
 33610 parties when the same shall be ratified by the United States.

33611 Proclaimed February 21, 1838.

33612 *Articles of a treaty made and concluded at the agency of the Sac*  
 33613 *and Fox Indians in the Territory of Iowa, between the United*  
 33614 *States of America, by John Chambers their commissioner, there-*  
 33615 *to specially authorized by the President, and the confederated*  
 33616 *tribes of Sac and Fox Indians, represented by their chiefs, head-*  
 33617 *men, and braves.*

33618 ARTICLE 1. The confederated tribes of Sacs and Foxes cede  
 33619 to the United States, forever, all the lands west of the Missis-  
 33620 sippi River to which they have any claim or title, or in which  
 33621 they have any interest whatever, reserving a right to occupy  
 33622 for the term of three years from the time of signing this treaty  
 33623 all that part of the land hereby ceded which lies west of a line  
 33624 running due north and south from the painted or red rocks on  
 33625 the White Breast Fork of the Des Moines River, which rocks  
 33626 will be found about eight miles, when reduced to a straight  
 33627 line, from the junction of the White Breast with the Des Moines.

33628 ARTICLE 2. In consideration of the cession contained in the  
 33629 preceding article, the United States agree to pay annually to  
 33630 the Sacs and Foxes an interest of five per centum upon the sum  
 33631 of eight hundred thousand dollars, and to pay their debts men-  
 33632 tioned in the schedule annexed to and made part of this treaty,  
 33633 amounting to the sum of two hundred and fifty-eight thousand  
 33634 five hundred and sixty-six dollars and thirty-four cents; and the  
 33635 United States also agree—

33636 First. That the President will, as soon after this treaty is  
 33637 ratified on their part as may be convenient, assign a tract of  
 33638 land suitable and convenient for Indian purposes to the Sacs  
 33639 and Foxes for a permanent and perpetual residence for them and  
 33640 their descendants, which tract of land shall be upon the Missouri  
 33641 River or some of its waters.

33642 Second. That the United States will cause the blacksmiths'  
 33643 and gunsmiths' tools, with the stock of iron and steel on hand  
 33644 at the present agency of the Sacs and Foxes, to be removed, as  
 33645 soon after their removal as convenient, to some suitable point at  
 33646 or near their residences west of the north and south line men-  
 33647 tioned in the first article of this treaty; and will establish and  
 33648 maintain two blacksmiths' and two gunsmiths' shops convenient  
 33649 to their agency, and will employ two blacksmiths, with necessary  
 33650 assistance, and two gunsmiths to carry on the said shops for the  
 33651 benefit of the Sacs and Foxes; one blacksmith's and one gun-  
 33652 smith's shop to be employed exclusively for the Sacs, and one of  
 33653 each to be employed exclusively for the Foxes; and all expenses  
 33654 attending the removal of the tools, iron and steel, and the erec-  
 33655 tion of new shops, and the purchase of iron and steel, and the  
 33656 support and maintenance of the shops, and wages of the smiths

33657 and their assistants are to be paid by the tribes, except such  
 33658 portion thereof as they are now entitled to have paid by the  
 33659 United States under the 4th article of the treaty made with  
 33660 them on the 4th of August, 1824, (proclaimed January 18,  
 33661 1825; see page 742,) and the 4th article of the treaty of the 21st  
 33662 of September, 1832, (see page 744.) And when the said tribes  
 33663 shall remove to the land to be assigned them by the President of  
 33664 the United States under the provisions of this treaty, the smiths'  
 33665 shops above stipulated for shall be re-established and maintained  
 33666 at their new residence, upon the same terms and conditions as  
 33667 are above provided for their removal and establishment west of  
 33668 the north and south line mentioned in the first article of this  
 33669 treaty.

33670 Third. That the President of the United States will, as soon as  
 33671 convenient after the ratification of this treaty, appoint a com-  
 33672 missioner for the purpose, and cause a line to be run north from  
 33673 the painted or red rocks on the White Breast, to the southern  
 33674 boundary of the neutral ground, and south from the said rocks  
 33675 to the northern boundary of Missouri, and will have the said  
 33676 lines so marked and designated that the Indians and white peo-  
 33677 ple may know the boundary which is to separate their posses-  
 33678 sions.

33679 ARTICLE 3. The Sacs and Foxes agree that they will re-  
 33680 move to the west side of the line running north and south from  
 33681 the painted or red rocks on the White Breast on or before the  
 33682 first of May next, and that so soon after the President shall have  
 33683 assigned them a residence upon the waters of the Missouri, as  
 33684 their chiefs shall consent to do so, the tribe will remove to the  
 33685 land so assigned them, and that if they do not remove before  
 33686 the expiration of the term of three years, they will then remove  
 33687 at their own expense; and the United States agree, that when-  
 33688 ever the chiefs shall give notice to the Commissioner of Indian  
 33689 Affairs of the time at which they will commence their removal  
 33690 to the land to be assigned them by the President, a quantity of  
 33691 provisions sufficient for their subsistence while removing shall  
 33692 be furnished them at their agency, and an additional quantity,  
 33693 not exceeding one year's supply, shall be delivered to them upon  
 33694 their arrival upon the lands assigned them, the cost and expenses  
 33695 of which supplies shall be retained out of any money payable to  
 33696 them by the United States.

33697 ARTICLE 4. It is agreed that each of the principal chiefs of  
 33698 the Sacs and Foxes shall hereafter receive the sum of five hun-  
 33699 dred dollars annually out of the annuities payable to the tribe,  
 33700 to be used and expended by them for such purposes as they may  
 33701 think proper, with the approbation of their agent.

33702 ARTICLE 5. It is further agreed that there shall be a fund

33703 amounting to thirty thousand dollars retained at each annual  
 33704 payment to the Sacs and Foxes in the hands of the agent ap-  
 33705 pointed by the President for their tribe, to be expended by the  
 33706 chiefs, with the approbation of the agent, for national and chari-  
 33707 table purposes among their people, such as the support of their  
 33708 poor, burying their dead, employing physicians for the sick,  
 33709 procuring provisions for their people in cases of necessity, and  
 33710 such other purposes of general utility as the chiefs may think  
 33711 proper and the agent approve. And if at any payment of the  
 33712 annuities of the tribe a balance of the fund so retained from the  
 33713 preceding year shall remain unexpended, only so much shall be  
 33714 retained in addition as will make up the sum of thirty thousand  
 33715 dollars.

33716 ARTICLE 6. It is further agreed that the Sacs and Foxes  
 33717 may, at any time, with the consent of the President of the United  
 33718 States, direct the application of any portion of the annuities  
 33719 payable to them, under this or any former treaty, to the pur-  
 33720 chase of goods or provisions, or to agricultural purposes, or any  
 33721 other object tending to their improvement or calculated to in-  
 33722 crease the comfort and happiness of their people.

33723 ARTICLE 7. The United States agree that the unexpended  
 33724 balance of the fund created by the seventh paragraph of the  
 33725 second article of the treaty of the twenty-first of October,  
 33726 1837, (proclaimed February 21, 1838; see page 753,) for  
 33727 agricultural purposes, or so much thereof as may be necessary,  
 33728 shall be used and employed in the cultivation of the pat-  
 33729 tern farm near the present Sac and Fox agency, in the year  
 33730 1843, for the exclusive use and benefit of the tribe. And they  
 33731 further agree that such portion of the fund for erecting mills  
 33732 and supporting millers, specified in the fourth paragraph of the  
 33733 second article of the aforesaid treaty of October 21st, 1837, as  
 33734 may be and remain unexpended on the 1st day of May next,  
 33735 shall be transferred to and made part of the sum designated in  
 33736 the fifth paragraph (as amended) of the article and treaty above  
 33737 named, for breaking up land, and other beneficial objects, and  
 33738 become thereafter applicable to the same purposes as were in  
 33739 the said fifth paragraph originally intended.

33740 ARTICLE 8. The Sacs and Foxes have caused the remains  
 33741 of their late distinguished chief Wa-pel-lo to be buried at their  
 33742 agency, near the grave of their late friend and agent, General  
 33743 Joseph M. Street, and have put into the hands of their agent  
 33744 the sum of one hundred dollars to procure a tombstone to be  
 33745 erected over his grave similar to that which has been erected  
 33746 over the grave of General Street; and because they wish the  
 33747 graves of their friend and their chief to remain in the possession  
 33748 of the family of General Street, to whom they were indebted in

33749 his life-time for many acts of kindness, they wish to give to his  
 33750 widow, Mrs. Eliza M. Street, one section of land, to include the  
 33751 said graves and the agency-house and enclosures around and  
 33752 near it; and as the agency-house was built at the expense of  
 33753 the United States, the Sacs and F6xes agree to pay them the  
 33754 sum of one thousand dollars, the value of said building, assessed  
 33755 by gentlemen appointed by them and Governor Chambers, com-  
 33756 missioner on the part of the United States, to be deducted from  
 33757 the first annuity payable to them under the provisions of this  
 33758 treaty. And the United States agree to grant to the said Eliza  
 33759 M. Street, by one or more patents, six hundred and forty acres  
 33760 of land in such legal subdivisions as will include the said burial-  
 33761 ground, the agency-house and improvements around and near  
 33762 it in good and convenient form, to be selected by the said E. M.  
 33763 Street or her duly-authorized agent.

33764 ARTICLE 9. It is finally agreed that this treaty shall be  
 33765 binding on the two contracting parties so soon as it shall have  
 33766 been ratified by the President and Senate of the United States:  
 33767 *Provided always*, That should the Senate disagree to and reject,  
 33768 alter, or amend any portion or stipulation thereof, the same must  
 33769 be again submitted to the Sacs and Foxes, and assented to by  
 33770 them, before it shall be considered valid and obligatory upon  
 33771 them; and if they disagree to such alteration or amendment the  
 33772 treaty shall be returned to the Senate, for ratification or rejection,  
 33773 in the form in which it was signed.

33774 . Proclaimed March 23, 1843.

33775 *Schedule of debts due from the confederated tribes of the Sac and*  
 33776 *Fox Indians to be paid by the United States under the provis-*  
 33777 *ions of a treaty made and concluded at the Sac and Fox agency,*  
 33778 *in the Territory of Iowa, on the eleventh day of October in the*  
 33779 *year 1842; to which this schedule is annexed as a part thereof.*

33780	Name of claimant and place of residence.	Amount.
33781	Pierre Chouteau, jr. & Co., St. Louis, Missouri,	
33782	licensed traders.....	\$112, 109 47
33783	W. G. & G. W. Erving, Indiana, licensed traders.	66, 371 83
33784	J. P. Eddy & Co., Ioway, licensed traders.....	52, 332 78
33785	Thomas Charlton, Van Buren C'ty, Ioway.....	76 69
33786	R. B. Willoughby, Van Buren C'ty, Ioway.....	25 00
33787	Francis Withington, Lincoln County, Missouri....	4, 212 58
33788	Jesse B. Webber, Burlington, Ioway.....	116 60
33789	J. C. Ware, Jefferson County, Ioway.....	50 00
33790	W. C. Cameron, assignee of A. M. Bissel, (bank-	
33791	rupt,) Burlington.....	283 14
33792	David Bailey, Lincoln C'ty, Missouri.....	75 00

	Name of claimant and place of residence.	Amount.
33793	Thomas W. Bradley, Ioway.....	\$20 00
33794	John J. Grimes, Lincoln C'ty, Missouri.....	625 00
33795	William Settles, Lincoln C'ty, Missouri .....	320 00
33796	John S. David, Burlington, Ioway.....	20 00
33797	F. Hancock, Van Buren, Ioway.....	20 00
33798	C. G. Pelton, Burlington, Ioway.....	34 00
33799	J. Tolman, Van Buren, Ioway.....	115 00
33800	J. L. Burtiss, Lee County, Ioway.....	715 00
33801	Isaac A. Lefevre, Van Buren, Ioway.....	348 00
33802	Jeremiah Smith, jr., Burlington, Ioway .....	4, 000 00
33803	William & Sampson Smith, Jefferson County, Ioway,	60 00
33804	John Koontz .....	6 50
33805	Robert Moffet, New Lexington, Ioway.....	129 63
33806	Antoine Leclair, Davenport, Ioway .....	1, 375 00
33807	Margaret Price, Lee County, Ioway.....	9 00
33808	Jesse Sutton, Van Buren, Ioway .....	22 00
33809	Jefferson Jordon, Van Buren, Ioway.....	175 00
33810	Jeremiah Wayland, St. Francisville, Missouri ....	15 00
33811	Robert Brown, assignee of Cutting & Gordon, Van	
33812	Buren C'ty, Ioway.....	73 25
33813	William Rowland, Van Buren C'ty, Ioway.....	460 32
33814	Edward Kilbourne, Lee County, Ioway .....	10, 411 80
33815	Perry & Best, Lee County .....	22 75
33816	P. Chouteau, jr., & Co., St. Louis, Missouri.....	26 00
33817	Job Carter, Van Buren C'ty .....	28 00
33818	Francis Bosseron, St. Louis, Mo.....	26 00
33819	James Jordon, Van Buren, Ioway .....	1, 775 00
33820	Sampson Smith, Ioway .....	54 00
33821	Louis Laplant, Ioway .....	122 00
33822	William Phelps, Clark County, Missouri.....	310 00
33823	William B. Street, Ioway.....	300 00
33824	Julia Ann Goodell, Ioway.....	855 00
33825	George L. Davenport, Davenport, Ioway....	320 00
33826	G. C. R. Mitchell, Davenport, Ioway.....	100 00
33827	David Noggle, Van Buren, Ioway .....	20 00
33828		
33829	Amount.....	258, 566 34
33830	FRANKLIN PIERCE, President of the United States of America,	
33831	to all and singular to whom these presents shall come,	
33832	greeting :	
33833	Whereas a treaty was made and concluded at the city of	
33834	Washington on the eighteenth day of May, one thousand eight	
33835	hundred and fifty-four, by George W. Manypenny, commissioner	
33836	on the part of the United States, and the following-named dele-	
33837	gates of the Sacs and Foxes of Missouri, viz: Pe-to-o-ke-mah,	

33833 or Hard Fish; Mo-less or Wah-pe-nem-mah, or Sturgeon; Ne-  
 33839 son-quoit, or Bear; Mo-ko-ho-ko, or Jumping Fish; and No-ko-  
 33840 what, or Fox; they being thereto duly authorized by the said  
 33841 Sac and Fox Indians, which treaty is in the words following,  
 33842 to wit:

33843 Articles of agreement and convention made and concluded at the  
 33844 city of Washington this eighteenth day of May, one thou-  
 33845 sand eight hundred and fifty-four, by George W. Many-  
 33846 penny, commissioner on the part of the United States, and  
 33847 the following-named delegates of the Sacs and Foxes of  
 33848 Missouri, viz: Pe-to-o-ke-mah, or Hard Fish; Mo-less or  
 33849 Wah-pe-nem-mah, or Sturgeon; Ne-son-quoit, or Bear; Mo-  
 33850 ko-ho-ko, or Jumping Fish; and No-ko what, or Fox;  
 33851 they being thereto duly authorized by the said Sac and Fox  
 33852 Indians.

33853 ARTICLE 1. The Sacs and Foxes of Missouri hereby cede,  
 33854 relinquish, and convey to the United States all their right, title,  
 33855 and interest in and to the country assigned to them by the treaty  
 33856 concluded on the seventeenth day of September, one thousand  
 33857 eight hundred and thirty-six, (proclaimed February 15, 1837;  
 33858 see page 407,) between William Clark, superintendent of In-  
 33859 dian affairs, on the part of the United States, and the  
 33860 Ioways and Missouri Sacs and Foxes, being the lower half  
 33861 of the country described in the second article thereof as "the  
 33862 small strip of land on the south side of the Missouri River,  
 33863 lying between the Kickapoo northern boundary-line and the  
 33864 Grand Nemahaw River, and extending from the Missouri back  
 33865 and westwardly with the said Kickapoo line and the Grand  
 33866 Nemahaw, making four hundred sections; to be divided between  
 33867 the said Ioways and Missouri band of Sacs and Foxes; the lower  
 33868 half to the Sacs and Foxes, the upper half to the Ioways," saving  
 33869 and reserving fifty sections, of six hundred and forty acres  
 33870 each, which shall be selected in the western part of the cession  
 33871 by the delegates parties hereto, and the agent for the tribe, after  
 33872 their return home, and which shall be located in one body and  
 33873 set off by metes and bounds: *Provided*, That the delegates and  
 33874 agent can find such an amount of land in one body within said  
 33875 specified section of country suitable to the wants and wishes of  
 33876 the Indians: *And it is further provided*, That should a suitable  
 33877 location, upon examination, to the full extent of fifty sections  
 33878 not be found within said western part of this cession, then the  
 33879 said delegates and agent shall be permitted to extend the loca-  
 33880 tion west or northwest of the country herein ceded and south of  
 33881 the Great Nemahaw River, over so much of the public domain,  
 33882 otherwise unappropriated, as shall make up the deficiency; or  
 33883 to make a selection entirely beyond the limits of the country

33884 herein ceded upon any lands of the United States, not otherwise  
 33885 appropriated, lying as aforesaid west or northwest of the ceded  
 33886 country and south of the Great Nemahaw. And in either case  
 33887 they shall describe their selection, which must be made within  
 33888 six months from the date hereof, by metes and bounds, and  
 33889 transmit the description thereof, signed by said delegates and  
 33890 agent, to the Commissioner of Indian Affairs; and thereupon  
 33891 the selection so made shall be taken and deemed as the future  
 33892 permanent home of the Sacs and Foxes of Missouri. It is ex-  
 33893 pressly understood that these Indians shall claim under this  
 33894 article no more than fifty sections of land, and if that quantity,  
 33895 or any portion thereof, shall be selected, as provided above,  
 33896 outside of the reservation herein made, then said reservation or  
 33897 a quantity equal to that which may be selected outside thereof,  
 33898 shall be, and the same is hereby, ceded, relinquished, and con-  
 33899 veyed to the United States.

33900 ARTICLE 2. In consideration of the cession and relinquish-  
 33901 ment made in the preceding article, the United States agree to  
 33902 pay to the Sacs and Foxes of Missouri the sum of forty-eight  
 33903 thousand dollars, in manner following, viz: Fifteen thousand dol-  
 33904 lars in the month of October in each of the years one thousand  
 33905 eight hundred and fifty-four and one thousand eight hundred  
 33906 and fifty-five; ten thousand dollars in the same month of the  
 33907 year one thousand eight hundred and fifty-six, and eight thou-  
 33908 sand dollars in the same month of the year one thousand eight  
 33909 hundred and fifty-seven; which several sums shall be paid di-  
 33910 rectly to the Indians, or otherwise, as the President may deem  
 33911 advisable, for building houses, breaking and fencing lands, pur-  
 33912 chasing stock, farming-implements, seeds, and such other arti-  
 33913 cles as may be necessary for their comfort and prosperity.

33914 ARTICLE 3. The President may cause to be surveyed, in the  
 33915 same manner in which the public lands are surveyed, the re-  
 33916 servation herein provided for the Sacs and Foxes of Missouri,  
 33917 and may assign to each person or family desiring it such quan-  
 33918 tity of land as, in his opinion, will be sufficient for such per-  
 33919 son or family, with the understanding that he or they will  
 33920 occupy, improve, and cultivate the same, and comply with such  
 33921 other conditions as the President may prescribe. The land thus  
 33922 assigned may hereafter be confirmed by patent to the parties, or  
 33923 their representatives, under such regulations and restrictions as  
 33924 Congress may prescribe.

33925 ARTICLE 4. The said Indians reserve a tract of one section  
 33926 of land at the site of their present farm and mill, and to include  
 33927 the same; and, if they desire it, said farm may be cultivated for  
 33928 them for a term not exceeding two years, at the end of which  
 33929 time, or sooner, if the Indians request it, the said tract and mill

33930 may be sold by the President to the highest bidder, and, upon  
 33931 payment being made, a patent to issue to the purchaser; the pro-  
 33932 ceeds of the sale to be paid over to the Indians with their other  
 33933 moneys.

33934 ARTICLE 5. At the request of the Indians, it is hereby  
 33935 agreed that the Board of Foreign Missions of the Presbyterian  
 33936 Church shall have a tract of one hundred and sixty acres of  
 33937 land, to be selected by said board, at a distance not exceeding  
 33938 two miles in a westerly direction from the grant made to said  
 33939 board at their mission by the Ioway Indians; and the President  
 33940 is authorized to issue a patent for the same to such person or  
 33941 persons as said board may designate.

33942 ARTICLE 6. The said Indians release the United States from  
 33943 all claims or demands of any kind whatsoever arising, or which  
 33944 may hereafter arise, under former treaties, and agree to remove  
 33945 within six months after the ratification of this treaty, and to  
 33946 subsist themselves, without cost to the United States. In con-  
 33947 sideration of which release and agreement, the United States  
 33948 agree to pay them the sum of five thousand dollars, three thou-  
 33949 sand of which may be applied to the settlement of their affairs  
 33950 preparatory to removal.

33951 ARTICLE 7. The invested fund provided by the second clause  
 33952 of the second article of the treaty of twenty-first day of October,  
 33953 one thousand eight hundred and thirty-seven, (being one hundred  
 33954 and fifty-seven thousand four hundred dollars,) shall remain with  
 33955 the United States at an annual interest of five per cent., which  
 33956 interest, as it accumulates, shall be expended under the direction  
 33957 of the President, in such manner as he may deem best for the in-  
 33958 terests of the Indians, and a like disposition may be made of any  
 33959 unexpended balance of interest now on hand. (N. B.—The  
 33960 clause referred to is probably the ninth, and not the second.  
 33961 See page 753.)

33962 ARTICLE 8. No part of the moneys hereby stipulated to be  
 33963 paid to the Indians or for their benefit, or of their invested fund,  
 33964 shall be applied to the payment of debts contracted by them in  
 33965 their private dealings as individuals, whether with traders or  
 33966 otherwise.

33967 ARTICLE 9. It is agreed by said Indians that all roads and  
 33968 highways laid out by authority of law, shall have right of way  
 33969 through their reservation on the same terms as are provided by  
 33970 law when roads and highways are made through lands of citi-  
 33971 zens of the United States; and railroad companies, when the  
 33972 lines of their roads necessarily pass through the lands of these  
 33973 Indians, shall have right of way on the payment of a just com-  
 33974 pensation therefor in money.

33975 ARTICLE 10. The said Indians promise to use their best

33976 efforts to prevent the introduction and use of ardent spirits in  
 33977 their country ; to encourage industry, thrift, and morality ; and  
 33978 by every possible means to promote their advancement in civil-  
 33979 ization. They desire to be at peace with all men, and therefore  
 33980 bind themselves to commit no depredation or wrong upon either  
 33981 Indians or citizens, and whenever difficulties arise, to abide by  
 33982 the laws of the United States in such cases made and provided,  
 33983 as they expect to be protected and to have their own rights vindi-  
 33984 cated by them.

33985 ARTICLE 11. The object of these articles of agreement and  
 33986 convention being to advance the true interests of the Sac and Fox  
 33987 Indians, it is agreed, should they prove insufficient, from causes  
 33988 which cannot now be foreseen, to effect these ends, that the  
 33989 President may, by and with the advice and consent of the Sen-  
 33990 ate, adopt such policy in the management of their affairs as in  
 33991 his judgment may be most beneficial to them ; or Congress may  
 33992 hereafter make such provisions by law as experience shall prove  
 33993 to be necessary.

33994 ARTICLE 12. This instrument shall be obligatory on the con-  
 33995 tracting parties whenever the same shall be ratified by the Pres-  
 33996 ident and the Senate of the United States.

33997 Proclaimed July 17, 1854.

33998 *Treaty between the United States and the confederated tribes of*  
 33999 *Sacs and Foxes of the Mississippi ; made October 1, 1859 ;*  
 34000 *ratified July 9, 1860.*

34001 *By the President of the United States of America :*

34002 A PROCLAMATION.

34003 *To all and singular to whom these presents shall come, greeting :*

34004 Whereas a treaty was made and concluded at the Sac and  
 34005 Fox agency, in the Territory of Kansas, on the first day of  
 34006 October, one thousand eight hundred and fifty-nine, by and  
 34007 between Alfred B. Greenwood, commissioner on the part of the  
 34008 United States, and certain chiefs and head-men hereinafter  
 34009 named, representing the confederated tribes of Sacs and Foxes  
 34010 of the Mississippi, which treaty is in the following words, to  
 34011 wit :

34012 Articles of agreement and convention made and concluded at  
 34013 the Sac and Fox agency, in the Territory of Kansas, on  
 34014 the first day of October, in the year of our Lord one thou-  
 34015 sand eight hundred and fifty-nine, by and between Alfred  
 34016 B. Greenwood, commissioner on the part of the United  
 34017 States, and the following-named chiefs and delegates, rep-

34018       resenting the confederated tribes of Sacs and Foxes of the  
 34019       Mississippi, viz: Ke-o-kuk, Mack-a-sah-pee, Sha-bah-caw-  
 34020       kah, Mat-tah-tah, My-ah-pit, Kaw-ah-kee, Kah-sha-moh-mee,  
 34021       Maw-mee-won-e-kah, and Che-ko-skuk, they being thereto  
 34022       duly authorized by said confederated tribes.

34023       ARTICLE 1. The Sacs and Foxes of the Mississippi having  
 34024       now more lands than are necessary for their occupancy and use,  
 34025       and being desirous of promoting settled habits of industry and  
 34026       enterprise amongst themselves by abolishing the tenure in com-  
 34027       mon by which they now hold their lands, and by assigning  
 34028       limited quantities thereof, in severalty, to the individual mem-  
 34029       bers of the tribe, to be cultivated and improved for their indi-  
 34030       vidual use and benefit, it is hereby agreed and stipulated that  
 34031       the portion of their present reservation contained within the  
 34032       following boundaries, that is to say: beginning at a point on  
 34033       the northern boundary-line of their reservation, six miles west  
 34034       of the northeastern corner of the same; running thence due  
 34035       south to the southern boundary of the same, twenty miles;  
 34036       thence west, and along said southern boundary, twelve miles;  
 34037       thence due north, to the northern boundary of said reservation,  
 34038       twenty miles; and thence east, along said boundary-line, twelve  
 34039       miles, to the place of beginning—estimated to contain about  
 34040       one hundred and fifty-three thousand and six hundred acres—  
 34041       shall be set apart and retained by them for the purposes afore-  
 34042       said.

34043       ARTICLE 2. Out of the lands so set apart and retained there  
 34044       shall be assigned to each member of said confederated tribe,  
 34045       without distinction of age or sex, a tract of eighty acres, to in-  
 34046       clude in every case, as far as practicable, a reasonable portion  
 34047       of timber. One hundred and sixty acres of said retained lands  
 34048       shall also be set apart and appropriated to the use and occu-  
 34049       pancy of the agent for the time being of said confederated tribe;  
 34050       and one hundred and sixty acres shall also be reserved for the  
 34051       establishment and support of a school for the education of the  
 34052       youth of the tribe. The location of the tracts, the assignment  
 34053       of which is provided for in this article, shall be made in as reg-  
 34054       ular and compact a manner as possible, and so as to admit of a  
 34055       distinct and well-defined exterior boundary, embracing the whole  
 34056       of them and any intermediate portions or parcels of land or  
 34057       water not included in or made part of the tracts assigned in sev-  
 34058       eralty. All such intermediate parcels of land and water shall  
 34059       be owned by the Sacs and Foxes of the Mississippi in common;  
 34060       but, in case of increase in the tribe, or other cause, rendering it  
 34061       necessary or expedient, the said intermediate parcels of land  
 34062       shall be subject to distribution and assignment in such manner  
 34063       as the Secretary of the Interior may prescribe and direct. The

34064 whole of the lands, assigned or unassigned, embraced within  
 34065 said exterior boundary, shall constitute and be known as the  
 34066 reservation of the Sacs and Foxes of the Mississippi; and all  
 34067 laws which have been, or may be, passed by the Congress of  
 34068 the United States regulating trade and intercourse with Indian  
 34069 tribes shall have full force and effect over the same, and no white  
 34070 person, except such as shall be in the employment of the United  
 34071 States, shall be allowed to reside or go upon any portion of said  
 34072 reservation, without the written permission of the superintendent  
 34073 of the central superintendency, or of the agent of the tribe.

34074 ARTICLE 3. The division and assignment in severalty  
 34075 among the Sacs and Foxes of the Mississippi of the land  
 34076 hereinbefore reserved for that purpose shall be made under  
 34077 the direction of the Secretary of the Interior, and his decis-  
 34078 ion of all questions arising thereupon shall be final and con-  
 34079 clusive. Certificates shall be issued by the Commissioner of  
 34080 Indian Affairs for the tracts assigned in severalty, specifying  
 34081 the names of the individuals to whom they have been as-  
 34082 signed, respectively, and that the said tracts are set apart for  
 34083 the exclusive use and benefit of the assignees and their heirs.  
 34084 And said tracts shall not be alienated in fee, leased, or other-  
 34085 wise disposed of, except to the United States, or to members of  
 34086 the Sac and Fox tribe, and under such rules and regulations as  
 34087 may be prescribed by the Secretary of the Interior. And said  
 34088 tracts shall be exempt from taxation, levy, sale, or forfeiture,  
 34089 until otherwise provided by Congress. Prior to the issue of the  
 34090 certificates aforesaid, the Secretary of the Interior shall make  
 34091 such rules and regulations as he may deem necessary or expedi-  
 34092 ent respecting the disposition of any of said tracts, in case of  
 34093 the death of the person or persons to whom they may be as-  
 34094 signed, so that the same shall be secured to the families of such  
 34095 deceased persons; and should any of the Indians to whom tracts  
 34096 shall be assigned abandon them, the said Secretary may take  
 34097 such action in relation to the proper disposition thereof as, in  
 34098 his judgment, may be necessary and proper.

34099 ARTICLE 4. For the purpose of establishing the Sacs and  
 34100 Foxes of the Mississippi comfortably upon the lands to be as-  
 34101 signed to them in severalty, by building them houses, and by  
 34102 furnishing them with agricultural implements, stock-animals,  
 34103 and other necessary aid and facilities for commencing agricul-  
 34104 tural pursuits under favorable circumstances, the lands em-  
 34105 braced in that portion of their present reservation, not stipu-  
 34106 lated to be retained and divided as aforesaid, shall be sold under  
 34107 the direction of the Secretary of the Interior, in parcels not ex-  
 34108 ceeding one hundred and sixty acres each, to the highest bidder,  
 34109 for cash; the sale to be made upon sealed proposals, to be duly

34110 invited by public advertisement, and the proceeds thereof to be  
 34111 expended, for the purposes hereinbefore recited, in such manner  
 34112 as the Secretary of the Interior may think proper. And should  
 34113 any of the tracts so to be sold have upon them improvements  
 34114 of any kind which were made by or for the Indians, or for Gov-  
 34115 ernment purposes, the proposals therefor must state the price  
 34116 for both the land and the improvements. And if, after assign-  
 34117 ing to all the members of the tribe entitled thereto their propor-  
 34118 tion of land in severalty, there shall remain a surplus of that  
 34119 portion of the reservation retained for that purpose, outside of  
 34120 the exterior boundaries of the lands assigned in severalty, the  
 34121 Secretary of the Interior shall be authorized and empowered,  
 34122 whenever he shall think proper, to cause such surplus to be sold  
 34123 in the same manner as the other lands to be so disposed of, and  
 34124 to apply the proceeds of such sale to the purposes and in the  
 34125 mode hereinbefore provided with respect to that portion of their  
 34126 present reservation not retained for distribution.

34127 ARTICLE 5. The Sacs and Foxes of the Mississippi being  
 34128 anxious to relieve themselves from the burden of their present  
 34129 liabilities, and it being essential to their best interests that they  
 34130 should be allowed to commence their new mode of life free from  
 34131 the embarrassments of debt, it is stipulated and agreed that  
 34132 debts which may be due and owing at the date of the signing  
 34133 and execution hereof, either by the said confederated tribes of  
 34134 Sacs and Foxes, or by individual members thereof, shall be  
 34135 liquidated and paid out of the fund arising from the sale of their  
 34136 surplus lands, so far as the same shall be found to be just and  
 34137 valid on an examination thereof, to be made by their agent and  
 34138 the superintendent of Indian affairs for the central superintend-  
 34139 ency, subject to revision and correction by the Secretary of the  
 34140 Interior.

34141 ARTICLE 6. Should the proceeds of the surplus lands afore-  
 34142 said prove insufficient to carry out the purposes and stipula-  
 34143 tions of this agreement, and further aid be, from time to time,  
 34144 requisite to enable the Sacs and Foxes of the Mississippi to sustain  
 34145 themselves successfully in agricultural or other industrial pur-  
 34146 suits, such additional means as may be necessary therefor shall be  
 34147 taken from the moneys due and belonging to them under the  
 34148 provisions of former treaties; and so much of said moneys as  
 34149 may be required to furnish them further aid, as aforesaid, shall  
 34150 be applied in such manner, under the direction of the Secretary  
 34151 of the Interior, as he shall consider best calculated to improve  
 34152 and promote their welfare. And, in order to render unnecessary  
 34153 any further treaty engagements or arrangements hereafter with  
 34154 the United States, it is hereby agreed and stipulated that the  
 34155 President, with the assent of Congress, shall have full power to

34156 modify or change any of the provisions of former treaties with  
 34157 the Sacs and Foxes of the Mississippi in such manner and to  
 34158 whatever extent he may judge to be necessary and expedient  
 34159 for their welfare and best interest.

34160 ARTICLE 7. The Sacs and Foxes of the Mississippi, parties to  
 34161 this agreement, are anxious that all the members of their tribe  
 34162 shall participate in the advantages herein provided for respecting  
 34163 their improvement and civilization, and to that end to induce all  
 34164 that are now separated to rejoin and reunite with them. It is  
 34165 therefore agreed that, as soon as practicable, the Commissioner  
 34166 of Indian Affairs shall cause the necessary proceedings to be  
 34167 adopted, to have them notified of this agreement and its advan-  
 34168 tages, and to induce them to come in and unite with their breth-  
 34169 ren; and to enable them to do so, and to sustain themselves for  
 34170 a reasonable time thereafter, such assistance shall be provided  
 34171 for them at the expense of the tribe as may be actually necessary  
 34172 for that purpose: *Provided, however,* That those who do not  
 34173 rejoin and permanently re-unite themselves with the tribe within  
 34174 one year from the date of the ratification of this treaty shall  
 34175 not be entitled to the benefit of any of its stipulations.

34176 ARTICLE 8. All the expenses connected with and incident  
 34177 to the making of this agreement, and the carrying out of its  
 34178 provisions, shall be defrayed out of the funds of the Sacs and  
 34179 Foxes of the Mississippi.

34180 ARTICLE 9. It is agreed that all roads and highways laid  
 34181 out by authority of law shall have right of way through the  
 34182 lands within the reservation hereinbefore specified, on the same  
 34183 terms as are provided by law when roads and highways are made  
 34184 through lands of citizens of the United States; and railroad  
 34185 companies, when the lines pass through the lands of said Indians,  
 34186 shall have right of way on the payment of a just compensation  
 34187 therefor in money.

34188 ARTICLE 10. The Sacs and Foxes of the Mississippi being  
 34189 anxious to make some suitable provision for their mixed and  
 34190 half bloods, and such of their women (whole-bloods) who have  
 34191 intermarried with white men, it is agreed that there shall be as-  
 34192 signed to the mixed and half bloods of their tribe, and to such  
 34193 whole-blood females as have intermarried with white men, at the  
 34194 date of this agreement, three hundred and twenty acres each;  
 34195 the location and allotments of said lands to be made out of that  
 34196 portion relinquished by this treaty to the United States in trust,  
 34197 provided the mixed or half bloods, and such females of their  
 34198 tribes as have intermarried with white men, desire to do so.  
 34199 The allotments to such of the mixed or half bloods as may be  
 34200 minors to be made by the agent of the tribe, subject to the con-  
 34201 firmation and approval of the Secretary of the Interior; and

34202 in allotting lands to those provided for in this article, said allot-  
 34203 ments shall be made so as to include their improvements, (if any,)  
 34204 provided it can be done, and at the same time make said allot-  
 34205 ments conform to the public surveys. And it is further agreed  
 34206 between the parties to this agreement that Thomas Connelly, a  
 34207 half-breed, and a member of the tribe, who has been uniformly  
 34208 kind to his people, shall be permitted to so locate his three hun-  
 34209 dred and twenty acres as to include Randal's dwelling and trad-  
 34210 ing-house, if it can be done so as to harmonize with the public  
 34211 surveys; and provided the said Connelly shall pay to the owner  
 34212 of said improvements a fair valuation therefor. The lands  
 34213 granted by this article shall remain inalienable except to the  
 34214 United States or members of the tribe, nor shall the mixed or  
 34215 half bloods, or such females as have intermarried with white  
 34216 men, participate in the proceeds of the lands herein ceded.

34217 ARTICLE 11. The United States also agree to cause to be  
 34218 paid to the tribe any funds that may have heretofore been with-  
 34219 held under the provisions of the fifth article of the treaty of one  
 34220 thousand eight hundred and forty-two, the same to be expended  
 34221 for their benefit, or paid in money, as the Secretary may direct.

34222 ARTICLE 12. This instrument shall be obligatory on the  
 34223 contracting parties whenever the same shall be ratified by the  
 34224 President and the Senate of the United States.

34225 Proclaimed July 9, 1860.

34226 *Treaty between the United States of America and the tribe of Sac*  
 34227 *and Fox Indians of the Mississppi, concluded February 18,*  
 34228 *1867; ratification advised, with amendments, July 25, 1868;*  
 34229 *amendments accepted September 2, 1868; proclaimed October*  
 34230 *14, 1868.*

34231 ANDREW JOHNSON, President of the United States of America,  
 34232 to all and singular to whom these presents shall come,  
 34233 greeting:

34234 Whereas a treaty was made and concluded at the city of  
 34235 Washington, in the District of Columbia, on the eighteenth day  
 34236 of February, in the year of our Lord one thousand eight hun-  
 34237 dred and sixty-seven, by and between Lewis V. Bogy, William  
 34238 H. Watson, Thomas Murphy, and Henry W. Martin, commis-  
 34239 sioners, on the part of the United States, and Keokuk, Chekus-  
 34240 kuk, Ue-quaw-nô-ko, Mut-tut-tah, and Man-ah-to-wah, chiefs of  
 34241 the tribe of Sac and Fox Indians of the Mississippi, on the part  
 34242 of said Indians, and duly authorized thereto by them, which  
 34243 treaty is in the words and figures following, to wit:

34244 Articles of agreement made and concluded this eighteenth day

34245 of February, one thousand eight hundred and sixty-seven,  
 34246 between the United States, represented by Lewis V. Bogy,  
 34247 Commissioner of Indian Affairs, William H. Watson,  
 34248 special commissioner, Thomas Murphy, superintendent of  
 34249 Indian affairs for Kansas, and Henry W. Martin, United  
 34250 States Indian agent, duly authorized, and the tribes of Sacs  
 34251 and Foxes of the Mississippi, represented by Keokuk, Che-  
 34252 kus-kuk, Uc-quaw-ho-ko, Mut-tut-tah, and Man-ah-to-wah,  
 34253 chiefs of said tribes.

34254 ARTICLE 1. The Sacs and Foxes of the Mississippi cede to  
 34255 the Government of the United States all the lands, with the im-  
 34256 provements thereon, contained in their unsold portion of their  
 34257 diminished reserve, defined in the first article of their treaty  
 34258 ratified July ninth, one thousand eight hundred and sixty, (the  
 34259 said tract containing about eighty-six thousand and four hun-  
 34260 dred acres, and being more particularly described by the survey  
 34261 and plats on file in the Department of the Interior,) except as  
 34262 reserved in previous treaties, or in this treaty.

34263 ARTICLE 2. The said Indians also cede to the United States  
 34264 a full and complete title to the lands, with the improvements  
 34265 thereon, now remaining unsold in that portion of their old reser-  
 34266 vation provided by article four of the treaty of July ninth, one  
 34267 thousand eight hundred and sixty, to be sold by the Govern-  
 34268 ment for their benefit, the cession herein made being subject to  
 34269 the exceptions defined in this treaty.

34270 ARTICLE 3. The United States agree to pay to the Sac and  
 34271 Fox Indians, parties to this treaty, at the rate of one dollar an  
 34272 acre for the whole of the land ceded in the two preceding sec-  
 34273 tions, being about one hundred and fifty-seven thousand acres  
 34274 of land, less the amount of land set apart for individuals; and  
 34275 further agree to pay the outstanding indebtedness of the said  
 34276 tribe, now represented by scrip issued under the provisions of  
 34277 previous treaties, and amounting on the first of November,  
 34278 eighteen hundred and sixty-five, to twenty-six thousand five  
 34279 hundred and seventy-four dollars, besides the interest thereon,  
 34280 out of the proceeds of the sale of lands ceded in this treaty, and  
 34281 the amount herein provided to be paid to said Indians, after de-  
 34282 ducting such sums as, under the provisions of this treaty, are  
 34283 to be expended for their removal, subsistence, and establishing  
 34284 them in their new country, shall be added to their invested  
 34285 funds, and five per cent. interest paid thereon in the same  
 34286 manner as the interest of their present funds is now paid.

34287 ARTICLE 4. At any time after the ratification of this treaty  
 34288 the lands ceded in the first article shall be held and considered  
 34289 at the disposal of the United States, except that until the time  
 34290 for the removal of the Indians is fixed by public notice, under

34291 the provisions of this treaty, no interference shall be made with  
 34292 the rights of the Indians as the occupants of the lands, but they  
 34293 shall remain in all respects without molestation in the same  
 34294 manner as if this treaty had not been made: *And provided further,*  
 34295 That inasmuch as there are valuable improvements upon said  
 34296 reservation, such improvements shall be appraised under the  
 34297 direction of the Secretary of the Interior, and the appraised  
 34298 value of the same shall be paid to the United States, before title  
 34299 is given to any individual or corporation for the lands upon  
 34300 which such improvements are situated.

34301 ARTICLE 5. The lands ceded in the second article of this  
 34302 treaty, being the unsold remainder of the lands provided in the  
 34303 fourth article of the treaty of July ninth, one thousand eight  
 34304 hundred and sixty, to be sold in trust for said Indians, shall,  
 34305 immediately upon the ratification of this treaty, become the  
 34306 property of the United States, and shall be open to entry and  
 34307 settlement, and the lands in the second article ceded, as well as  
 34308 those ceded in the first article, shall be subject to all the laws  
 34309 and regulations of the General Land-Office the same as other  
 34310 public lands, except as relates to the provisions in the next pre-  
 34311 ceding article relating to the time when they shall be open for  
 34312 settlement, and the requirement of payment for the improve-  
 34313 ments; and should there be any improvements upon the land  
 34314 ceded in the second article, they shall be appraised, and payment  
 34315 shall be required therefor: "*Provided*, That such lands shall be  
 34316 subject to sale, in tracts of not exceeding one hundred and sixty  
 34317 acres to any one person, and at a price not less than one dollar  
 34318 and fifty cents per acre."

34319 ARTICLE 6. The United States agree, in consideration of  
 34320 the improvements upon the said reservation, to give to the Sacs  
 34321 and Foxes for their future home a tract of land in the Indian  
 34322 country south of Kansas, and south of the Cherokee lands, not  
 34323 exceeding seven hundred and fifty square miles in extent. The  
 34324 selection of such new reservation shall be made under the direc-  
 34325 tion of the Secretary of the Interior, and with his approval, by  
 34326 commissioners appointed by the said Secretary, who shall visit  
 34327 the Indian country, with delegations from all the tribes propos-  
 34328 ing to remove thereto, as soon as practicable after the ratifica-  
 34329 tion of this treaty; and said reservation shall be surveyed as to  
 34330 its exterior lines, at the cost of the United States, under the  
 34331 direction of the Commissioner of Indian Affairs, not to exceed  
 34332 three thousand dollars: *Provided*, That if it shall be found  
 34333 impracticable to select a suitable home for the tribe except by  
 34334 purchase from the Cherokees, the United States will pay toward  
 34335 the said purchase the same amount that would have been paya-

34336 ble to the Creeks if the reservation had been selected upon the  
 34337 former Creek lands; and in that case the balance of the money  
 34338 payable to the Cherokees shall be deducted from the amount due  
 34339 the Sacs and Foxes under this treaty.

34340 ARTICLE 7. As soon as practicable after the selection of the  
 34341 new reservation herein provided for, there shall be erected  
 34342 thereon, at the cost of the United States, a dwelling-house for  
 34343 the agent of the tribe, a house and shop for a blacksmith, and  
 34344 dwelling-house for a physician, the aggregate cost of which shall  
 34345 not exceed ten thousand dollars; and also, at the expense of the  
 34346 tribe, five dwelling-houses for the chiefs, to cost in all not more  
 34347 than five thousand dollars.

34348 As soon as practicable after such selection of a reservation  
 34349 as it may, in the discretion of the Secretary of the Interior, be  
 34350 deemed advisable for the Indians to remove thereto, regard being  
 34351 had to the proper season of the year for such removal, notice  
 34352 shall be given to their agent directing such removal; and when-  
 34353 ever such time shall be fixed, public notice thereof shall be given  
 34354 in three leading newspapers of Kansas, and thereafter the land  
 34355 ceded to the United States by the first article of this treaty  
 34356 shall be open to entry and settlement under the provisions of  
 34357 the fourth article.

34358 ARTICLE 8. No part of the invested funds of the tribe, or  
 34359 of any moneys which may be due to them under the provisions  
 34360 of previous treaties, nor of any moneys provided to be paid to  
 34361 them by this treaty, shall be used in payment of any claims  
 34362 against the tribe accruing previous to the ratification of this  
 34363 treaty unless herein expressly provided for.

34364 ARTICLE 9. In order to promote the civilization of the tribe,  
 34365 one section of land, convenient to the residence of the agent,  
 34366 shall be selected by said agent, with the approval of the Com-  
 34367 missioner of Indian Affairs, and set apart for a manual-labor  
 34368 school; and their shall also be set apart, from the money to be  
 34369 paid to the tribe under this treaty, the sum of ten thousand dol-  
 34370 lars for the erection of the necessary school-buildings and dwell-  
 34371 ing for teacher, and the annual amount of five thousand dollars  
 34372 shall be set apart from the income of their funds after the erection  
 34373 of such school-buildings, for the support of the school; and after  
 34374 the settlement of the tribe upon their new reservation, the sum  
 34375 of five thousand dollars of the income of their funds may be annu-  
 34376 ally used, under the direction of the chiefs, in the support of  
 34377 their national government, out of which last-mentioned amount  
 34378 the sum of five hundred dollars shall be annually paid to each  
 34379 of the chiefs.

34380 ARTICLE 10. The United States agree to pay annually, for

34381 five years after the removal of the tribe, the sum of fifteen hun-  
 34382 dred dollars for the support of a physician and purchase of med-  
 34383 icines, and also the sum of three hundred and fifty dollars annu-  
 34384 ally for the same time, in order that the tribe may provide itself  
 34385 with tobacco and salt.

34386 ARTICLE 11. In consideration of certain improvements made  
 34387 by John Goodell upon the lands of the nation within their  
 34388 present reservation, and of his services as their interpreter, he  
 34389 shall be allowed to select therefrom a half section of land ; and  
 34390 it is further provided that of said land, Sarah A. Whistler and  
 34391 Pash-e-ca-cah, or Amelia Mitchell, shall each be allowed to select  
 34392 a half section of land, the latter selection to include the house  
 34393 in which she lives ; and Julia A. Goodell one quarter section,  
 34394 besides the land, not exceeding eight acres, upon which her  
 34395 house and improvements are situated ; and Mary A. Means one  
 34396 quarter section, to includ[e] the improvements occupied by her ;  
 34397 and there shall also be allowed to Antoine Gokey and William  
 34398 Avery, each one hundred and sixty acres ; to Leo Whistler and  
 34399 Gertrude Whistler, each three hundred and twenty acres ; and to  
 34400 James Thorpe, Virginia Thorpe, and Cassandra Thorpe, Thomas  
 34401 J. Miles, Hattie Miles, Ema-Ke-O-Kuck, Hannie-Ke-O-Kuck, Mo-  
 34402 Co-P-quah, each eighty acres ; Man-a-tah, Pah-me-che-kaw-paw,  
 34403 Henry Jones, Wilson McKinney, and Carrie C. Capper, each one  
 34404 hundred and sixty acres, to be selected from unimproved lands:  
 34405 *Provided*, That the parties herein named shall pay to the Secre-  
 34406 tary of the Interior, within three months after the ratification  
 34407 of this treaty, the sum of one dollar per acre for said lands, the  
 34408 avails of which shall be used for the benefit of the Sacs and  
 34409 Foxes in the same manner as the other funds arising from the sales  
 34410 of their lands: *Provided also*, That George Powers, the present  
 34411 Government interpreter, for valuable services rendered and uni-  
 34412 form kindness toward the nation, shall have patented to him,  
 34413 in fee-simple, three hundred and twenty acres of land, to be  
 34414 located by the agent: *Provided also*, That they may select from  
 34415 land upon which improvements exist, by paying the appraised  
 34416 value of such improvements ; but no selection shall include the  
 34417 agency, mission, or mill buildings ; and upon the approval by  
 34418 the Secretary of the Interior of such selections, and on payment  
 34419 therefor, as hereinbefore provided, patents in fee-simple shall  
 34420 be issued to the respective parties, their heirs or assigns.

34421 ARTICLE 12. In consideration of the faithful services of  
 34422 Samuel Black in protecting their houses and timber from tres-  
 34423 pass and depredation, there shall be patented to him in fee-sim-  
 34424 ple the tract of land upon which he lives, being the west half  
 34425 of the northwest quarter-section four, town[ship] seventeen,  
 34426 range sixteen.

34427 ARTICLE 13. Licensed traders, having erected valuable build-  
 34428 ing at the agency, it is agreed that John K. Rankin may have  
 34429 a patent for the land, not exceeding eight acres, upon which  
 34430 such improvements are built, and not to include any other im-  
 34431 provements, on the payment of two dollars and fifty cents per  
 34432 acre.

34433 ARTICLE 14. The Sacs and Foxes, parties to this treaty,  
 34434 agree that the Sacs and Foxes of Missouri, if they shall so elect,  
 34435 with the approval of the Secretary of the Interior, may unite  
 34436 with them and become a part of their people, upon their con-  
 34437 tributing to the common fund such a portion of their funds as  
 34438 will place them on an equal footing in regard to annuities.

34439 ARTICLE 15. The claims of the Sacs and Foxes against the  
 34440 United States for stealing of stock, which have heretofore been  
 34441 adjusted, amounting to sixteen thousand four hundred dollars,  
 34442 shall be paid by the United States, and the amount disbursed  
 34443 and expended for the benefit of the tribe in such objects for their  
 34444 improvement and comfort upon the new reservation as the chiefs  
 34445 through their agent shall desire; and whereas the Indians claim  
 34446 that one full payment due under previous treaty has never been  
 34447 made to them, it is agreed that a careful examination of the  
 34448 books of the Commissioner of Indian Affairs shall be made, and  
 34449 if any sum is found to be still due and unpaid, the same shall be  
 34450 paid to them per capita in the same manner as their annuities  
 34451 are paid.

34452 ARTICLE 16. The United States will advance to the said  
 34453 tribe of Indians the sum of twenty thousand dollars, or so much  
 34454 thereof as may be necessary, to pay the expenses of their subsis-  
 34455 tence for the first year after their arrival at their new home in  
 34456 the Indian country, and to pay the necessary expenses of re-  
 34457 moval and furnish necessary rations for the journey during such  
 34458 removal; said removal to be made under direction of the super-  
 34459 intendent or agent, to be designated by the Secretary of the  
 34460 Interior; the moneys thus expended to be deducted from the  
 34461 whole amount provided to be paid for their lands herein ceded.

34462 ARTICLE 17. It is hereby provided that the half-breeds and  
 34463 full-bloods of the tribe, who were entitled to selections of land  
 34464 under the Sac and Fox treaty, ratified July ninth, one thousand  
 34465 eight hundred and sixty, and which selections have been ap-  
 34466 proved by the Secretary of the Interior, shall be entitled to patents  
 34467 in fee-simple for the lands heretofore selected, according to the  
 34468 schedule annexed to this treaty: *Provided*, That where such  
 34469 selections have been made and the allottees have sold their  
 34470 lands for a valuable consideration, not less than one dollar and  
 34471 twenty-five cents per acre, the Secretary of the Interior shall,

34472 upon full proof being made, cause patents to issue to the pur-  
 34473 chasers or their assigns.

34474 ARTICLE 18. All sales hereafter made by or on behalf of  
 34475 persons to whom lands are assigned in this treaty shall receive  
 34476 the approval of the Secretary of the Interior before taking effect  
 34477 in conveying title to lands so sold.

34478 ARTICLE 19. The United States agree to pay the expenses  
 34479 of negotiating this treaty, not to exceed the sum of fifteen hun-  
 34480 dred dollars.

34481 ARTICLE 20. The chiefs and head-men of the Sacs and Foxes  
 34482 having permitted their employees to cultivate farms, which,  
 34483 together with the farms of Ke-o-kuck and other chiefs, are em-  
 34484 braced within an area two miles by four, and the said Sacs and  
 34485 Foxes believing that the lands comprising the said area having  
 34486 been made valuable by reason of said occupancy, and in order  
 34487 that they may receive a fair compensation for said area of land,  
 34488 bounded and described as follows, except as heretofore specially  
 34489 excepted, and the mill and mission building, to wit: commencing  
 34490 at the northwest corner of section thirty-three, township  
 34491 sixteen, range seventeen, thence east two and a quarter ( $2\frac{1}{4}$ )  
 34492 miles to the reservation line; thence south along said line  
 34493 four miles; thence west two and a fourth ( $2\frac{1}{4}$ ) miles to the  
 34494 southwest corner of section sixteen, township seventeen, range  
 34495 seventeen; thence north along the section line to the place of  
 34496 beginning, are hereby withdrawn from sale, as is provided for  
 34497 the sale of their lands in this treaty, and the said area of land,  
 34498 as above described, shall be sold by the chiefs and agent for the  
 34499 tribe at the best price obtainable; and they are hereby empow-  
 34500 ered to make warrantee deeds for the same, subject to the ap-  
 34501 proval of the Secretary of the Interior, at not less than two  
 34502 dollars per acre in addition to the appraised value of the im-  
 34503 provements. The avails of said lands shall be expended by the  
 34504 agent, under the direction of the chiefs, for the benefit of the  
 34505 nation.

34506 ARTICLE 21. The Sacs and Foxes of the Mississippi, parties  
 34507 to this agreement, being anxious that all the members of their  
 34508 tribe shall participate in the advantages to be derived from the  
 34509 investment of their national funds, sales of lands, and so forth,  
 34510 it is therefore agreed that, as soon as practicable, the Commis-  
 34511 sioner of Indian Affairs shall cause the necessary proceedings to  
 34512 be adopted, to have such members of the tribe as may be absent  
 34513 notified of this agreement and its advantages, and to induce  
 34514 them to come in and permanently unite with their brethren, and  
 34515 that no part of the funds arising from or due the nation under  
 34516 this or previous treaty stipulations shall be paid to any bands or  
 34517 parts of bands who do not permanently reside on the reserva-

34518 tion set apart to them by the Government in the Indian Terri-  
 34519 tory, as provided in this treaty, except those residing in the  
 34520 State of Iowa; and it is further agreed, that all money, accruing  
 34521 from this or former tribes, [treaties,] now due or to become due  
 34522 said nation, shall be paid them on their reservation in Kansas;  
 34523 and after their removal, as provided in this treaty, payments shall  
 34524 be made at their agency on their lands as then located.

34525 *List of Sac and Fox lands selected for individuals referred to in*  
 34526 *Article XVII of the above treaty, selected by Perry Fuller,*  
 34527 *agent.*

34528	Names of persons.	Description of land.	Sec[ti]on.]	Town[ship.]	Range.
34529	Alvira Connolly .....	S. $\frac{1}{2}$ NW. $\frac{1}{4}$ .....	5	17	18
34530	Alvira Connolly .....	SW. $\frac{1}{4}$ .....	5	17	18
34531	Alvira Connolly .....	N. $\frac{1}{2}$ NW. $\frac{1}{4}$ .....	8	17	18
34532	Alexander Connolly .....	E. $\frac{1}{2}$ .....	4	17	18
34533	Cordelia Connolly .....	E. $\frac{1}{2}$ .....	35	16	17
34534	Isaac Goodell .....	W. $\frac{1}{2}$ .....	3	17	18
34535	Kish-Kah-Iwah .....	S. $\frac{1}{2}$ .....	16	17	18
34536	Mary I. Thorp .....	E. $\frac{1}{2}$ .....	12	17	17
34537	Hiram P. Thorp .....	E. $\frac{1}{2}$ .....	1	17	17
34538	Francis A. Thorp .....	W. $\frac{1}{2}$ .....	6	17	18
34539	Amelia McPherson .....	W. $\frac{1}{2}$ .....	1	17	17
34540	Sarah A. Whistler .....	SW. $\frac{1}{4}$ .....	34	16	18
34541	Sarah A. Whistler .....	SW. $\frac{1}{4}$ SW. $\frac{1}{4}$ .....	35	16	18
34542	Sarah A. Whistler .....	W. $\frac{1}{2}$ NW. $\frac{1}{4}$ .....	2	17	18
34543	Sarah A. Whistler .....	NW. $\frac{1}{4}$ SW. $\frac{1}{4}$ .....	2	17	18
34544	Julia A. Goodell .....	N. $\frac{1}{2}$ .....	21	17	18
34545	Susan J. Goodell .....	E. $\frac{1}{2}$ .....	3	17	18
34546	John Goodell, jr. ....	E. $\frac{1}{2}$ .....	17	17	18
34547	Jane Goodell .....	NE. $\frac{1}{4}$ .....	10	17	18
34548	Jane Goodell .....	NW. $\frac{1}{4}$ NW. $\frac{1}{4}$ .....	10	17	18
34549	Jane Goodell .....	E. $\frac{1}{2}$ NW. $\frac{1}{4}$ .....	10	17	18
34550	Jane Goodell .....	NW. $\frac{1}{4}$ NW. $\frac{1}{4}$ .....	11	17	18
34551	Mary A. Byington .....	E. $\frac{1}{2}$ NE. $\frac{1}{4}$ .....	9	17	18
34552	Mary A. Byington .....	E. $\frac{1}{2}$ SE. $\frac{1}{4}$ .....	9	17	18
34553	Mary A. Byington .....	W. $\frac{1}{2}$ SW. $\frac{1}{4}$ .....	10	17	18
34554	Mary A. Byington .....	SW. $\frac{1}{4}$ NW. $\frac{1}{4}$ .....	10	17	18
34555	Mary A. Byington .....	NE. $\frac{1}{4}$ NE. $\frac{1}{4}$ .....	16	17	18
34556	Margaret Miles .....	W. $\frac{1}{2}$ .....	4	17	18
34557	Thomas J. Connolly .....	SW. $\frac{1}{4}$ SE. $\frac{1}{4}$ .....	9	17	18
34558	Thomas J. Connolly .....	SE. $\frac{1}{4}$ NE. $\frac{1}{4}$ .....	16	17	18
34559	Thomas J. Connolly .....	W. $\frac{1}{2}$ NE. $\frac{1}{4}$ .....	16	17	18
34560	Thomas J. Connolly .....	NW. $\frac{1}{4}$ .....	16	17	18
34561	Charles T. Connolly .....	E. $\frac{1}{2}$ NW. $\frac{1}{4}$ .....	9	17	18

	Names of persons.	Description of land.	Sec[ <u>tion.</u> ]	Town[ <u>ship.</u> ]	Range.
34562					
34563	Charles T. Connolly.....	W. $\frac{1}{2}$ NE. $\frac{1}{4}$ ....	9	17	18
34564	Charles T. Connolly.....	NW. $\frac{1}{4}$ SE. $\frac{1}{4}$ ....	9	17	18
34565	Charles T. Connolly.....	SE. $\frac{1}{4}$ SW. $\frac{1}{4}$ ....	9	17	18
34566	Charles T. Connolly.....	S. $\frac{1}{2}$ SW. $\frac{1}{4}$ ....	9	17	18

34567      *The following were selected by C. C. Hutchinson :*

	Names of persons.	Description.	Sec[ <u>tion.</u> ]	Town[ <u>ship.</u> ]	Range.
34568					
34569	Kaw-Kol-we-nah .....	E. $\frac{1}{2}$ .....	2	17	17
34570	George Powers .....	NE. $\frac{1}{4}$ .....	8	17	18
34571	George Powers .....	S. $\frac{1}{2}$ NW. $\frac{1}{4}$ ....	8	17	18
34572	George Powers .....	N. $\frac{1}{2}$ SW. $\frac{1}{4}$ ....	8	17	18
34573	Joseph Gokey .....	W. $\frac{1}{2}$ SE. $\frac{1}{4}$ ....	21	17	18
34574	Joseph Gokey .....	N. $\frac{1}{2}$ NW. $\frac{1}{4}$ ....	28	17	18
34575	Joseph Gokey .....	SW. $\frac{1}{4}$ NW. $\frac{1}{4}$ ....	28	17	18
34576	Joseph Gokey .....	NW. $\frac{1}{4}$ NE. $\frac{1}{4}$ ....	28	17	18
34577	Joseph Gokey .....	W. $\frac{1}{2}$ SE. $\frac{1}{4}$ ....	29	17	18
34578	Met-tach-ah-pack-o tah ....	E. $\frac{1}{2}$ .....	7	17	18
34579	Mack-oh-tach-o-quit .....	W. $\frac{1}{2}$ .....	7	17	18
34580	Proclaimed October 14, 1868.				

# 34581      SACS AND FOXES OF MISSOURI.

34582      *Articles of a treaty made at the city of Washington between Carey*  
34583      *A. Harris, thereto specially authorised by the President of the*  
34584      *United States, and the Sacs and Foxes of Missouri, by their*  
34585      *chiefs and delegates.*

34586      ARTICLE 1. The Missouri Sac and Fox Indians make the  
34587      following cessions to the United States :

34588      First. Of all right or interest in the country between the  
34589      Missouri and Mississippi Rivers and the boundary-line between  
34590      the Sac and Fox and the Sioux Indians, described in the second  
34591      article of the treaty made with these and other tribes on the 19th  
34592      of August, 1825, to the full extent to which said claim was rec-  
34593      ognized in the third article of said treaty ; and of all interest  
34594      or claim by virtue of the provisions of any treaties since made  
34595      by the United States with the Sacs and Foxes.

34596      Second. Of all the right to locate, for hunting or other pur-  
34597      poses, on the land ceded in the first article of the treaty of July  
34598      15th, 1830, which, by the authority therein conferred on the  
34599      President of the United States, they may be permitted by him  
34600      to enjoy.

34601      Third. Of all claims or interest under the treaties of Novem-

34602 ber 3d, 1804; August 4th, 1824; July 15th, 1830, and Septem-  
 34603 ber 17th, 1836, for the satisfaction of which no appropriations  
 34604 have been made.

34605 ARTICLE 2. In consideration of the cession contained in the  
 34606 preceding article, the United States agree to the following stip-  
 34607 ulations on their part:

34608 First. To pay to the said Sacs and Foxes of the Missouri,  
 34609 the sum of one hundred and sixty thousand dollars, (\$160,000.)

34610 It is understood and agreed that, of the said sum of one  
 34611 hundred and sixty thousand dollars, (\$160,000,) there shall be  
 34612 expended in the purchase of merchandise, to be delivered when-  
 34613 ever in the judgment of the President it may be best for them,  
 34614 twenty-five hundred dollars, (\$2,500;) and there shall be paid  
 34615 to Jacques Mettez, their interpreter, for services rendered, and  
 34616 at their request, one hundred dollars, (\$100.)

34617 Second. To invest the balance of said sum, amounting to  
 34618 one hundred and fifty-seven thousand four hundred dollars,  
 34619 (\$157,400,) and to guaranty them an annual income of not less  
 34620 than five per cent. thereon.

34621 Third. To apply the interest herein guaranteed in the follow-  
 34622 ing manner:

34623 For the support of a blacksmith's establishment, one thou-  
 34624 sand (\$1,000) dollars per annum.

34625 For the support of a farmer, the supply of agricultural im-  
 34626 plements, and assistance, and other beneficial objects, sixteen  
 34627 hundred dollars (\$1,600) per annum.

34628 For the support of a teacher and the incidental expenses of  
 34629 a school, seven hundred and seventy dollars (\$770) per annum.

34630 The balance of the interest, amounting to forty-five hun-  
 34631 dred dollars, (\$4,500,) shall be delivered, at the cost of the United  
 34632 States, to said Sac and Fox Indians, in money or merchandise,  
 34633 at the discretion of the President, and at such time and place as  
 34634 he may direct.

34635 ARTICLE 3. The expenses of this negotiation, and of the  
 34636 chiefs and delegates signing this treaty to this city and to their  
 34637 homes, to be paid by the United States.

34638 ARTICLE 4. This treaty to be binding upon the contracting  
 34639 parties when the same shall be ratified by the United States.

34640 Proclaimed February 21, 1838.

## 34641 SACS AND FOXES OF THE MISSOURI AND IOWAS.

34642 *By the President of the United States of America.*

## 34643 A PROCLAMATION.

34644 *To all and singular to whom these presents shall come, greeting :*

34645 Whereas a treaty was made and concluded at the Great  
 34646 Nemaha agency, in the Territory of Nebraska, on the sixth day  
 34647 of March, in the year of our Lord one thousand eight hundred  
 34648 and sixty-one, by and between Daniel Vanderslice, United  
 34649 States Indian agent, on the part of the United States, and Pe-  
 34650 te-ok-a-ma, Ne-sour-quoit, Mo-less, and Se-se-ah-kee, chiefs and  
 34651 delegates of the Indians known as the Sacs and Foxes of Mis-  
 34652 souri, duly authorized thereto by said Indians, and No heart,  
 34653 Nag-ga-rash, Mah-hee, To-hee, Tah-ra-kee, Thur-o-mony, and  
 34654 White Horse, chiefs and delegates of the Indians known as the  
 34655 Iowa tribe, duly authorized thereto by said Indians, in the  
 34656 words and figures following, to wit :

34657 Articles of agreement and convention made and concluded at  
 34658 the office of the Great Nemaha agency, Nebraska Terri-  
 34659 tory, on the sixth day of March, A. D. one thousand eight  
 34660 hundred and sixty-one, by and between Daniel Vanderslice,  
 34661 U. S. Indian agent, on the part of the United States, and  
 34662 the following-named delegates of the Sacs and Foxes of Mis-  
 34663 souri, viz : Pe-ta-ok-a-ma, Ne-sour-quoit, Mo-less, and Se-  
 34664 se-ah-kee; and the following-named delegates of the Iowa  
 34665 tribe, viz : No-heart, Nag-ga-rash, Mah-hee, To-hee, Tah-ra-  
 34666 kee, Thur-o-mony, and White Horse; they being duly au-  
 34667 thorized thereto by their respective tribes.

34668 ARTICLE 1. The Sacs and Foxes of Missouri hereby cede,  
 34669 relinquish, and convey to the United States all their right, title,  
 34670 and interest in and to lands within their present reservation,  
 34671 described as follows, viz : beginning at the mouth of the south  
 34672 fork of the Great Nemaha River, and thence up the southwest  
 34673 bank of the Great Nemaha, with its meanders, to the mouth of  
 34674 the west fork ; thence up the west fork, with its meanders, to  
 34675 the line of the 40° of parallel on the west bank of creek or fork  
 34676 where is established the southwest corner of the Sac and Fox  
 34677 reserve, by erecting a stone monument, from which the follow-  
 34678 ing references bear, viz : A large cottonwood tree three feet in  
 34679 diameter, bears S. 44° 00' E. 1.05 chains ; a rock bears N.  
 34680 30° 00' W. 50 links ; another rock bears N. 50° 00' west 50  
 34681 links ; and another rock bears due north one chain ; thence  
 34682 east along the line of the 40° of parallel to the west bank of the

34683 south fork of the Great Nemaha River, distance fourteen miles  
 34684 twenty-seven chains and sixty links, where is established the  
 34685 southeast corner of the Sac and Fox reserve, by erecting a stone  
 34686 pile with a black walnut post in the centre of it, from which a  
 34687 white elm, two feet in diameter, bears S.  $33^{\circ} 00'$  E. 22 links, and  
 34688 marked with the letters S. E. Cor. for the southeast corner, and  
 34689 another elm, 18 inch[e]s in diameter, bears S.  $39^{\circ} 00'$  E. 1.05  
 34690 chains, and marked SE C B SE., for the southeast corner, bear-  
 34691 ing, and distance; and another black walnut, 9 inch[e]s in di-  
 34692 ameter, bears S.  $15^{\circ} 00'$  E. 85 links, and thence down the south  
 34693 fork, with its meanders, to the point of beginning, estimated to  
 34694 contain 32,098 acres 3 roods and 35 perches.

34695 ARTICLE 2. The aforesaid lands shall be surveyed in con-  
 34696 formity with the system governing the survey of the public  
 34697 lands; and the same shall be sold, under the direction of the  
 34698 Secretary of the Interior, in parcels not exceeding one hundred  
 34699 and sixty acres each, to the highest bidder, for cash; the sale  
 34700 to be made upon sealed proposals, to be duly invited by public  
 34701 advertisement: *Provided*, No bid shall be favorably considered  
 34702 which may be less than one dollar and twenty-five cents per  
 34703 acre. And should any of the tracts so to be sold have upon  
 34704 them improvements of any kind which were made by or for the  
 34705 Indians, or for Government purposes, the proposals therefor  
 34706 must state the price for both the land and improvements. The  
 34707 proceeds of the sales thereof, after deducting therefrom the ex-  
 34708 penses of surveying the lands and all other expenses incident to  
 34709 the negotiation of these articles of convention and the proper  
 34710 execution thereof, the balance shall be applied as follows, viz :  
 34711 One half shall be held in trust by the United States for the  
 34712 benefit of the Sacs and Foxes of Missouri, and interest thereon,  
 34713 at the rate of five per centum per annum, shall be paid an-  
 34714 nually, with the other funds to be paid said tribe, in the same  
 34715 manner as stipulated in the treaty of May 18th, 1854; and the  
 34716 other half of said balance shall be applied as hereinafter speci-  
 34717 fied.

34718 ARTICLE 3. The Iowa tribe of Indians, parties to this  
 34719 agreement, hereby cede, relinquish, and convey to the United  
 34720 States, for the use and benefit of the Sacs and Foxes of Mis-  
 34721 souri, for their permanent home, all that part of their present  
 34722 reservation lying and being west of Nohearts Creek, and  
 34723 bounded as follows, viz: Beginning at a point where the south-  
 34724 ern line of the present Iowa reserve crosses Nohearts Creek;  
 34725 thence with said line to the south fork of the Nemaha, (com-  
 34726 monly known as Walnut Creek;) thence down the middle of  
 34727 said south fork, with the meanders thereof, to its mouth, and to  
 34728 a point in the middle of the Great Nemaha River; thence down

34729 the middle of said river to a point opposite the mouth of No-  
 34730 hearts Creek; and thence, in a southerly direction with the  
 34731 middle of said Nohearts Creek, to the place of beginning. And  
 34732 it is hereby understood and agreed that, in full consideration for  
 34733 said cession, the United States shall hold in trust, for the use  
 34734 and benefit of the Iowas, the one-half of the net proceeds of  
 34735 the sales of the lands described in the second article of this  
 34736 agreement, and interest thereon, at the rate of five per centum  
 34737 per annum, shall be paid to the Iowa tribe in the same manner  
 34738 as their annuities are paid under the treaty of May 17, 1854.  
 34739 The reservation herein described shall be surveyed and set apart  
 34740 for the exclusive use and benefit of the Sacs and Foxes of Mis-  
 34741 souri, and the remainder of the Iowa lands shall be the tribal  
 34742 reserve of said Iowa Indians, for their exclusive use and bene-  
 34743 fit.

34744 ARTICLE 4. The Sacs and Foxes of Missouri being anxious  
 34745 to make full satisfaction for a just claim which Joseph Tesson  
 34746 holds against said tribe, it is hereby agreed by the parties to  
 34747 this convention that said claimant shall select a quarter section  
 34748 or one hundred and sixty acres of land, to include his present  
 34749 residence and improvements, to be located in one body, in con-  
 34750 formity with the legal subdivisions of the public surveys, which  
 34751 tract of land shall be received by him in full payment of said  
 34752 claim, estimated at about eight hundred dollars, and all other  
 34753 claims or rights of every character whatsoever against said  
 34754 tribe; and when a relinquishment shall have been executed by  
 34755 said claimant in favor of said tribe for all claims that he may  
 34756 have against them, a patent shall be issued to him for said tract  
 34757 of land in fee-simple.

34758 The following chiefs shall be entitled to select each a quar-  
 34759 ter section, or one hundred and sixty acres of land in one body,  
 34760 in conformity with the public surveys, to include their present  
 34761 residences and improvements, viz: Pe-te-ok-a-ma, Ne-sour-quoit,  
 34762 and Mo-less; and George Gomess, a member of the Sac and  
 34763 Fox tribe, shall select in like manner one-eighth of a section or  
 34764 eighty acres of land in one body, to include his improvements,  
 34765 and patents shall be issued therefor in favor of said persons in  
 34766 fee-simple.

34767 ARTICLE 5. In order to encourage education among the  
 34768 aforesaid tribes of Indians, it is hereby agreed that the United  
 34769 States shall expend the sum of one thousand dollars for the  
 34770 erection of a suitable school-house, and dwelling-house for the  
 34771 school teacher, for the benefit of the Sacs and Foxes, and also  
 34772 the additional sum of two hundred dollars per annum for school  
 34773 purposes, so long as the President of the United States may  
 34774 deem advisable. And for the benefit of the Iowa tribe of

Indians there shall be expended, in like manner, at the discretion of the President, the sum of three hundred dollars per annum for school purposes, which two last-mentioned sums shall be paid out of the funds to be appropriated for the civilization of Indians.

ARTICLE 6. There shall be set apart in one body, under the direction of the Commissioner of Indian Affairs, one section, or six hundred and forty acres of land, in harmony with the public survey, so as to include the agency-dwelling, agency-office, council-house, school-house, teachers' dwelling, blacksmith's dwelling and shops, and such farming land as may be necessary for the use of the school, agency, and employees thereat.

ARTICLE 7. No person not a member of either of the tribes, parties to this convention, shall go upon the reservations or sojourn among the Indians without a license or written permit from the agent or superintendent of Indian affairs, except Government employees or persons connected with the public service. And no mixed-blood Indians, except those employed at some mission, or such as may be sent there to be educated, or other members of the aforesaid tribes, shall participate in the beneficial provisions of this agreement or former treaties, unless they return to and unite permanently with said tribes, and reside upon the respective reservations within six months from the date of this convention.

ARTICLE 8. It is hereby understood and agreed by the contracting parties hereto that the stipulations of the treaty with the Sacs and Foxes of Missouri of May 18th, 1854, (proclaimed July 17, 1854; see page 758,) and the treaty with the Iowa Indians of the 17th of May, 1854, (see page 403,) which may not be inconsistent with these articles of convention, shall have full force and effect upon the contracting parties hereto.

ARTICLE 9. This instrument shall be obligatory upon the respective parties hereto, whenever the same shall be ratified by the President and the Senate of the United States.

ARTICLE 10. The Secretary of the Interior may expend a sum not exceeding three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, at any time he may deem it advisable, for the purpose of erecting a toll-bridge across the Great Nemaha River at or near Roy's Ferry, for the use of the Iowa Indians; and a like sum of three thousand five hundred dollars, (\$3,500,) out of the proceeds of the sales of said lands, for the purpose of erecting a toll-bridge across the Great Nemaha River, at or near Wolf Village, for the use of the Sacs and Foxes of Missouri.

Toll shall be charged and collected for the use of said bridges at such rates and under such rules and regulations as

34821 may be established by the Commissioner of Indian Affairs, with  
 34822 the approval of the Secretary of the Interior, the proceeds of  
 34823 such tolls to be expended as follows: 1st, in making necessary  
 34824 repairs on said bridges; 2d, for the use of said tribes, respec-  
 34825 tively.

34826 ARTICLE 11. It is further stipulated that, whenever Con-  
 34827 gress shall by law so provide, all annuities due and to become  
 34828 due and payable to the said tribes of Indians under this treaty,  
 34829 and under all other previous treaties, may be paid in specific ar-  
 34830 ticles, clothing, agricultural implements, and such other articles  
 34831 as Congress shall direct.

34832 Proclaimed March 26, 1863.

34833 SACS AND FOXES, AND OTHERS.

34834 *Articles of a treaty made and concluded by William Clark, super-*  
 34835 *tendent of Indian affairs, and Willoughby Morgan, col.*  
 34836 *of the United States 1st Regt. Infantry, commissioners on be-*  
 34837 *half of the United States, on the one part, and the undersigned*  
 34838 *deputations of the confederated tribes of the Sacs and Foxes,*  
 34839 *the Medawah-Kanton, Wahpacoota, Wahpeton, and Sissetong*  
 34840 *bands or tribes of Sioux, the Omahas, Ioways, Ottoes, and*  
 34841 *Missourias, on the other part.*

34842 The said tribes being anxious to remove all causes which  
 34843 may hereafter create any unfriendly feeling between them, and  
 34844 being also anxious to provide other sources for supplying their  
 34845 wants besides those of hunting, which they are sensible must  
 34846 soon entirely fail them, agree with the United States on the fol-  
 34847 lowing articles:

34848 ARTICLE I. The said tribes cede and relinquish to the United  
 34849 States forever all their right and title to the lands lying within  
 34850 the following boundaries, to wit: Beginning at the upper fork of  
 34851 the Des Moines River, and passing the sources of the Little Sioux  
 34852 and Floyd's Rivers to the fork of the first creek which falls into  
 34853 the Big Sioux or Calumet on the east side; thence down said  
 34854 creek and Calumet River to the Missouri River; thence down  
 34855 said Missouri River to the Missouri State-line above the Kansas;  
 34856 thence along said line to the northwest corner of the said State;  
 34857 thence to the high-lands between the waters falling into the Mis-  
 34858 souri and Des Moines, passing to said high-lands along the divid-  
 34859 ing-ridge between the forks of the Grand River; thence along  
 34860 said high-lands or ridge separating the waters of the Missouri  
 34861 from those of the Des Moines to a point opposite the source of  
 34862 Boyer River; and thence in a direct line to the upper fork of the

34863    Demoine, the place of beginning. But it is understood that the  
 34864    lands ceded and relinquished by this treaty are to be assigned  
 34865    and allotted, under the direction of the President of the United  
 34866    States, to the tribes now living thereon, or to such other tribes  
 34867    as the President may locate thereon, for hunting and other pur-  
 34868    poses.

34869         ARTICLE 2. The confederated tribes of the Sacs and Foxes  
 34870    cede and relinquish to the United States forever a tract of  
 34871    country twenty miles in width, from the Mississippi to the De-  
 34872    moine, situate south and adjoining the line between the said  
 34873    confederated tribes of Sacs and Foxes and the Sioux, as estab-  
 34874    lished by the second article of the treaty of Prairie du Chien of  
 34875    the nineteenth of August, one thousand eight hundred and  
 34876    twenty-five.

34877         ARTICLE 3. The Medawah-Kanton, Wah-pa-coota, Wahpe-  
 34878    ton, and Sisseton bands of the Sioux cede and relinquish to the  
 34879    United States forever a tract of country twenty miles in width,  
 34880    from the Mississippi to the Demoine River, situate north and  
 34881    adjoining the line mentioned in the preceding article.

34882         ARTICLE 4. In consideration of the cessions and relinquish-  
 34883    ments made in the first, second, and third articles of this treaty,  
 34884    the United States agree to pay to the Sacs three thousand dol-  
 34885    lars, and to the Foxes three thousand dollars; to the Sioux of  
 34886    the Mississippi, two thousand dollars; to the Yancton and Santie  
 34887    bands of Sioux, three thousand dollars; to the Omahas, two thou-  
 34888    sand five hundred dollars; to the Ioways, two thousand five hun-  
 34889    dred dollars; to the Ottoes and Missourias, two thousand five  
 34890    hundred dollars, and to the Sacs of the Missouri River, five hun-  
 34891    dred dollars, to be paid annually for ten successive years, at  
 34892    such place or places on the Mississippi or Missouri as may be  
 34893    most convenient to said tribes, either in money, merchandize, or  
 34894    domestic animals, at their option; and when said annuities, or  
 34895    any portion of them, shall be paid in merchandize, the same is  
 34896    to be delivered to them at the first cost of the goods at St. Louis,  
 34897    free of transportation. And the United States further agree to  
 34898    make to the said tribes and bands the following allowances for  
 34899    the period of ten years, and as long thereafter as the President  
 34900    of the United States may think necessary and proper, in addi-  
 34901    tion to the sums hereinbefore stipulated to be paid them; that  
 34902    is to say: To the bands of the Sioux mentioned in the third ar-  
 34903    ticle, one blacksmith, at the expense of the United States, and  
 34904    the necessary tools, also instruments for agricultural purposes,  
 34905    and iron and steel to the amount of seven hundred dollars; to  
 34906    the Yancton and Santie bands of Sioux, one blacksmith, at the  
 34907    expense of the United States, and the necessary tools, also in-  
 34908    struments for agricultural purposes to the amount of four hun-

34909 dred dollars; to the Omahas, one blacksmith, at the expense of  
 34910 the United States, and the necessary tools, also instruments for  
 34911 agricultural purposes, to the amount of five hundred dollars;  
 34912 to the Ioways, an assistant blacksmith, at the expense of the  
 34913 United States, also instruments for agricultural purposes to the  
 34914 amount of six hundred dollars; to the Ottoes and Missourias,  
 34915 one blacksmith, at the expense of the United States, and the  
 34916 necessary tools, also instruments for agricultural purposes to  
 34917 the amount of five hundred dollars; and to the Sacs of the Mis-  
 34918 souri River, one blacksmith, at the expense of the United States,  
 34919 and the necessary tools, also instruments for agricultural pur-  
 34920 poses to the amount of two hundred dollars.

34921 ARTICLE 5. And the United States further agree to set  
 34922 apart three thousand dollars annually for ten successive years,  
 34923 to be applied, in the discretion of the President of the United  
 34924 States, to the education of the children of said tribes and bands  
 34925 parties hereto.

34926 ARTICLE 6. The Yanekton and Santie bands of the Sioux  
 34927 not being fully represented, it is agreed that, if they shall sign  
 34928 this treaty, they shall be considered as parties thereto, and  
 34929 bound by all its stipulations.

34930 ARTICLE 7. It is agreed between the parties hereto that  
 34931 the lines shall be run and marked as soon as the President of  
 34932 the United States may deem it expedient.

34933 ARTICLE 8. The United States agree to distribute between  
 34934 the several tribes, parties hereto, five thousand one hundred  
 34935 and thirty-two dollars' worth of merchandize, the receipt whereof  
 34936 the said tribes hereby acknowledge, which, together with the  
 34937 amounts agreed to be paid, and the allowances in the fourth  
 34938 and fifth articles of this treaty, shall be considered as a full  
 34939 compensation for the cession and relinquishments herein made.

34940 ARTICLE 9. The Sioux bands in council having earnestly  
 34941 solicited that they might have permission to bestow upon the  
 34942 half-breeds of their nation the tract of land within the following  
 34943 limits, to wit: Beginning at a place called the Barn, below and  
 34944 near the village of the Red Wing Chief, and running back fifteen  
 34945 miles; thence in a parallel line with Lake Pepin and the Missis-  
 34946 sippi about thirty-two miles, to a point opposite Beef or O-Boeuf  
 34947 River; thence fifteen miles to the grand encampment opposite  
 34948 the river aforesaid. The United States agree to suffer said half-  
 34949 breeds to occupy said tract of country, they holding by the same  
 34950 title, and in the same manner that other Indian titles are held.

34951 ARTICLE 10. The Omahas, Ioways and Ottoes, for them-  
 34952 selves and in behalf of the Yanekton and Santie bands of Sioux,  
 34953 having earnestly requested that they might be permitted to  
 34954 make some provision for their half-breeds, and particularly that  
 34955 they might bestow upon them the tract of country within the

34956 following limits, to wit: Beginning at the mouth of the Little  
 34957 Ne-mohaw River and running up the main channel of said river  
 34958 to a point which will be ten miles from its mouth in a direct  
 34959 line; from thence in a direct line to strike the Grand Ne-mohaw  
 34960 ten miles above its mouth in a direct line, (the distance between  
 34961 the two Ne-mohaws being about twenty miles;) thence down  
 34962 said river to its mouth; thence up, and with the meanders of  
 34963 the Missouri River, to the point of beginning, it is agreed that  
 34964 the half-breeds of said tribes and bands may be suffered to  
 34965 occupy said tract of land, holding it in the same manner and by  
 34966 the same title that other Indian titles are held; but the Presi-  
 34967 dent of the United States may hereafter assign to any of the said  
 34968 half-breeds, to be held by him or them in fee-simple, any portion  
 34969 of said tract not exceeding a section of six hundred and forty  
 34970 acres to each individual. And this provision shall extend to  
 34971 the cession made by the Sioux in the preceding article.

34972 ARTICLE 11. The reservation of land mentioned in the pre-  
 34973 ceding article having belonged to the Ottoes, and having been  
 34974 exclusively ceded by them, it is agreed that the Omahas, the  
 34975 Ioways, and the Yanckton and Santie bands of Sioux shall pay  
 34976 out of their annuities to the said Ottoe tribe, for the period of ten  
 34977 years, three hundred dollars annually, of which sum the Omahas  
 34978 shall pay one hundred dollars, the Ioways one hundred dollars,  
 34979 and the Yanckton and Santie bands one hundred dollars.

34980 ARTICLE 12. It is agreed that nothing contained in the  
 34981 foregoing articles shall be so construed as to affect any claim  
 34982 or right in common which has heretofore been held by any  
 34983 tribes, parties to this treaty, to any lands not embraced in the  
 34984 cession herein made, but that the same shall be occupied and  
 34985 held by them as heretofore.

34986 ARTICLE 13. This treaty, or any part thereof, shall take  
 34987 effect and be obligatory upon the contracting parties so soon  
 34988 as the same shall be ratified by the President of the United  
 34989 States, by and with the advice and consent of the Senate thereof.

34990 Proclaimed February 24, 1831.

#### 34991 SHAWNEES.

34992 *Articles of a treaty concluded at the mouth of the Great Miami, on*  
 34993 *the northwestern bank of the Ohio, the thirty-first day of Jan-*  
 34994 *uary, one thousand seven hundred and eighty-six, between the*  
 34995 *commissioners plenipotentiary of the United States of America,*  
 34996 *of the one part, and the chiefs and warriors of the Shawanoe*  
 34997 *Nation, of the other part.*

34998 ARTICLE 1. Three hostages shall be immediately delivered  
 34999 to the commissioners, to remain in the possession of the United

35000 States until all the prisoners, white and black, taken in the late  
 35001 war from among the citizens of the United States by the Shaw-  
 35002 anoe Nation, or by any other Indian or Indians residing in their  
 35003 towns, shall be restored.

35004 ARTICLE 2. The Shawanoe Nation do acknowledge the  
 35005 United States to be the sole and absolute sovereigns of all the  
 35006 territory ceded to them by a treaty of peace made between them  
 35007 and the King of Great Britain the fourteenth day of January,  
 35008 one thousand seven hundred and eighty-four.

35009 ARTICLE 3. If any Indian or Indians of the Shawanoe Na-  
 35010 tion or any other Indian or Indians residing in their towns,  
 35011 shall commit murder or robbery on, or do any injury to, the citi-  
 35012 zens of the United States, or any of them, that nation shall de-  
 35013 liver such offender or offenders to the officer commanding the  
 35014 nearest post of the United States, to be punished according to  
 35015 the ordinances of Congress; and, in like manner, any citizen  
 35016 of the United States who shall do an injury to any Indian of  
 35017 the Shawanoe Nation, or to any other Indian or Indians re-  
 35018 siding in their towns and under their protection, shall be pun-  
 35019 ished according to the laws of the United States.

35020 ARTICLE 4. The Shawanoe Nation, having knowledge of the  
 35021 intention of any nation or body of Indians to make war on the  
 35022 citizens of the United States, or of their counselling together for  
 35023 that purpose, and neglecting to give information thereof to the  
 35024 commanding officer of the nearest post of the United States,  
 35025 shall be considered as parties in such war, and be punished ac-  
 35026 cordingly; and the United States shall in like manner inform the  
 35027 Shawanoes of any injury designed against them.

35028 ARTICLE 5. The United States do grant peace to the Shaw-  
 35029 anoe Nation, and do receive them into their friendship and pro-  
 35030 tection.

35031 ARTICLE 6. The United States do allot to the Shawanoe  
 35032 Nation lands within their territory to live and hunt upon, be-  
 35033 ginning at the south line of the lands allotted to the Wiandots  
 35034 and Delaware Nations, at the place where the main branch of  
 35035 the Great Miami, which falls into the Ohio, intersects said line;  
 35036 then down the river Miami to the fork of that river next below  
 35037 the old fort which was taken by the French in one thousand  
 35038 seven hundred and fifty-two; thence due west to the river de la  
 35039 Panse; then down that river to the river Wabash, beyond  
 35040 which lines none of the citizens of the United States shall settle,  
 35041 nor disturb the Shawanoes in their settlement and possessions;  
 35042 and the Shawanoes do relinquish to the United States all title,  
 35043 or pretence of title, they ever had to the lands east, west, and  
 35044 south, of the east, west, and south lines before described.

35045 ARTICLE 7. If any citizen or citizens of the United States

35046 shall presume to settle upon the lands allotted to the Shawanoes  
 35047 by this treaty, he or they shall be put out of the protection of  
 35048 the United States.

35049 Concluded January 31, 1786.

35050 SHAWNEES RESIDING WITHIN THE STATE OF MIS-  
 35051 SOURI.

35052 *Articles of a convention made between William Clark, superin-*  
 35053 *tendent of Indian affairs, and the undersigned chiefs and head-*  
 35054 *men of the Shawconee Nation of Indians, residing within the*  
 35055 *State of Missouri, duly authorized and empowered by said na-*  
 35056 *tion, at the city of St. Louis, on the seventh day of November,*  
 35057 *in the year of our Lord one thousand eight hundred and twen-*  
 35058 *ty-five.*

35059 Whereas the Shawnee Indians were in possession of a tract  
 35060 of land near Cape Gereadeau, in the State of Missouri, settled  
 35061 under a permission from the Spanish government given to the  
 35062 said Shawnees and Delawares by the Baron De Carondelet, on  
 35063 the fourth day of January, one thousand seven hundred and  
 35064 ninety-three, and recorded in the office of recorder of land-titles  
 35065 at St. Louis, containing about (25) twenty-five miles square,  
 35066 which said tract of land was abandoned by the Delawares, in  
 35067 the year 1815; and from which the said Shawnees, under an as-  
 35068 surance of receiving other lands in exchange, did remove, after  
 35069 having made valuable and lasting improvements on the same,  
 35070 which were taken possession of by the citizens of the United  
 35071 States; and it being the desire of the United States fully to in-  
 35072 demnify said tribe for all losses and injuries sustained by them  
 35073 by reason of such removal, the following articles have been  
 35074 agreed upon between William Clark, superintendent of Indian  
 35075 affairs, specially authorized, on the one part, and the under-  
 35076 signed delegates of the Shawnee tribe residing within the State  
 35077 of Missouri, on the other part.

35078 ARTICLE 1. The Shawnee tribe do hereby cede and relin-  
 35079 quish to the United States all their claim, interest, and title to  
 35080 the lands on which they settled near Cape Gereadeau, under an  
 35081 authority of the Spanish government, as aforesaid, situate, lying,  
 35082 and being between the River St. Come and Cape Gereadeau, and  
 35083 bounded on the east by the Mississippi and westwardly by White  
 35084 Water.

35085 ARTICLE 2. It is further agreed by the contracting parties  
 35086 that, in consideration of the cession aforesaid, the United

35087 States do hereby agree to give to the Shawnee tribe of Indians  
 35088 within the State of Missouri, for themselves and for those of  
 35089 the same nation now residing in Ohio who may hereafter emi-  
 35090 grate to the west of the Mississippi, a tract of land equal to  
 35091 fifty (50) miles square, situated west of the State of Missouri  
 35092 and within the purchase lately made from the Osages by treaty  
 35093 bearing date the second day of June, one thousand eight hun-  
 35094 dred and twenty-five, and within the following boundaries:  
 35095 Commencing at a point (2) two miles northwest of the south-  
 35096 west corner of the State of Missouri; from thence, north (25)  
 35097 twenty-five miles; thence west (100) one hundred miles; thence  
 35098 south (25) twenty-five miles; thence east (100) one hundred miles  
 35099 to the place of beginning. But whereas the said Shawnee tribe  
 35100 had valuable and lasting improvements within the tract of land  
 35101 hereby ceded, and, moreover, will have to incur expenses in  
 35102 their removal, it is further stipulated that, for the purpose of  
 35103 rendering a fair equivalent for the losses and inconveniences  
 35104 which said tribe will sustain by removal, and to enable them to  
 35105 obtain supplies in their new settlements, the United States agree  
 35106 to pay to the tribe emigrating from the lands herein ceded the  
 35107 sum of fourteen thousand dollars, which amount shall be paid  
 35108 to said party of the second part as soon as practicable after  
 35109 the ratification of this treaty; five thousand dollars of which  
 35110 amount shall be furnished in domestic animals, implements of  
 35111 husbandry, and provisions, as soon as the said tribe remove  
 35112 upon the lands assigned them.

35113 ARTICLE 3. It is further stipulated that a deputation of  
 35114 the said parties of the second part may be sent to explore  
 35115 the lands assigned to them in the preceding article; and if the  
 35116 same be not acceptable to them, upon an examination of the  
 35117 same, which shall be had and made known to the superintendent  
 35118 of Indian affairs at St. Louis on or before April next, who shall,  
 35119 in lieu thereof, assign to them an equal quantity of land to be  
 35120 selected on the Kansas River, and laid off either south or north  
 35121 of that river, and west of the boundary of Missouri, not reserved  
 35122 or ceded to any other tribe.

35123 ARTICLE 4. It appearing that the Shawnee Indians have  
 35124 various claims against the citizens of the United States to a  
 35125 large amount for spoliations of various kinds, but which they  
 35126 have not been able to support by the testimony of white men,  
 35127 the United States, in order to a final settlement of all such claims,  
 35128 do hereby agree to pay to the Shawnee Nation the sum of (11,000)  
 35129 eleven thousand dollars, to be distributed by them in such way  
 35130 as may be deemed equitable; and to support and keep a black-  
 35131 smith for their use on the lands hereby assigned for the term of  
 35132 five years, or as long as the President may deem advisable; and

35133 it is further stipulated that the United States shall furnish for  
 35134 the use of the Shawnees the tools necessary for the blacksmith's  
 35135 shop and (300) three hundred pounds of iron annually, to be  
 35136 furnished at the expense of the United States.

35137 ARTICLE 5. The friendship heretofore existing between the  
 35138 United States and the Shawnee Nation is hereby renewed and  
 35139 perpetuated.

35140 ARTICLE 6. These articles shall take effect and become  
 35141 obligatory on the contracting parties so soon as the same shall  
 35142 be ratified by the President, by and with the advice and consent  
 35143 of the Senate of the United States.

35144 Proclaimed December 30, 1825.

35145 *Articles of agreement and convention made and concluded at*  
 35146 *Wapaghkonnetta, in the county of Allen, and State of Ohio, on*  
 35147 *the eighth day of August, in the year of our Lord one thousand*  
 35148 *eight hundred and thirty-one, by and between James B. Gardi-*  
 35149 *ner, especially appointed commissioner on the part of the United*  
 35150 *States, and John McElvain, Indian agent for the Wyondots,*  
 35151 *Senecas, and Shawnees residing in the State of Ohio, on the one*  
 35152 *part, and the undersigned principal chiefs, head-men, and warri-*  
 35153 *ors of the tribe of Shawnee Indians residing at Wapaghkon-*  
 35154 *netta and Hog Creek, within the territorial limits of the organ-*  
 35155 *ized county of Allen, in the State of Ohio.*

35156 Whereas the President of the United States, under the  
 35157 authority of the act of Congress approved May 28, 1830, has  
 35158 appointed a special commissioner to confer with the different  
 35159 Indian tribes residing within the constitutional limits of the  
 35160 State of Ohio, and to offer for their acceptance the provisions of  
 35161 the before-recited act; and

35162 Whereas the tribe or band of Shawnee Indians residing at  
 35163 Wapaghkonnetta and on Hog Creek, in the said State, have  
 35164 expressed their perfect assent to the conditions of the said act,  
 35165 and their willingness and anxiety to remove west of the Missis-  
 35166 sippi River, in order to obtain a more permanent and advan-  
 35167 tageous home for themselves and their posterity: Therefore,

35168 In order to carry into effect the aforesaid objects, the  
 35169 following articles of convention have been agreed upon by the  
 35170 aforesaid contracting parties, which, when ratified by the Presi-  
 35171 dent of the United States, by and with the advice and consent  
 35172 of the Senate thereof, shall be mutually binding upon the United  
 35173 States and the said Shawnee Indians:

35174 ARTICLE 1. The tribe or band of Shawnee Indians residing  
 35175 at Wapaghkonnetta and on Hog Creek, in the State of Ohio, in  
 35176 consideration of the stipulations herein made on the part of the

35177 United States, do forever cede, release, and quit-claim to the  
 35178 United States the lands granted to them by patent in fee-simple  
 35179 by the sixth section of the treaty made at the foot of the  
 35180 rapids of the Miami River of Lake Erie, on the 29th day of  
 35181 September, in the year of our Lord 1817, (proclaimed January 4,  
 35182 1819; see page 197,) containing one hundred and twenty-  
 35183 five sections or square miles, and granted in two reservations,  
 35184 and described in said sixth section of the aforesaid treaty as  
 35185 follows: "A tract of land ten miles square, the centre of which  
 35186 shall be the council-house at Wapaghkonnetta," and "a tract of  
 35187 land containing twenty-five square miles, which is to join the tract  
 35188 granted at Wapaghkonnetta, and to include the Shawnee settle-  
 35189 ment on Hog Creek, and to be laid off as nearly as possible in a  
 35190 square form," which said two tracts or reservations of land were  
 35191 granted as aforesaid to the said Shawnee Indians by the patents  
 35192 signed by the Commissioner of the General Land-Office and  
 35193 certified by the Secretary of War, dated the 20th day of April,  
 35194 1821. Also, one other tract of land, granted to the said Shaw-  
 35195 nees by the second article of the treaty made at St. Mary's, in  
 35196 the State of Ohio, on the 17th day of September, (proclaimed  
 35197 January 4, 1819,) in the year 1818, and described therein as fol-  
 35198 lows: "Twelve thousand eight hundred acres of land, to be laid  
 35199 off adjoining the east line of their reserve of ten miles square at  
 35200 Wapaghkonnetta," making, in the whole of the aforesaid ces-  
 35201 sions to the United States by the aforesaid Shawnees, one  
 35202 hundred and forty-five sections or square miles, which includes  
 35203 all the land now owned or claimed by the said band or tribe of  
 35204 Shawnees in the State of Ohio.

35205 ARTICLE 2. In consideration of the cessions stipulated in  
 35206 the foregoing article, the United States agree to cause the said  
 35207 tribe or band of Shawnees, consisting of about four hundred  
 35208 souls, to be removed, in a convenient and suitable manner, to the  
 35209 western side of the Mississippi River, and will grant by patent  
 35210 in fee-simple to them and their heirs forever, as long as they  
 35211 shall exist as a nation and remain upon the same, a tract of land  
 35212 to contain one hundred thousand acres, to be located, under the  
 35213 direction of the President of the United States, within the tract  
 35214 of land equal to fifty miles square, which was granted to the  
 35215 Shawnee Indians of the State of Missouri by the second article  
 35216 of a treaty made at the city of Saint Louis, in said State, with  
 35217 the said Shawnees of Missouri, by William Clark, superintendent  
 35218 of Indian affairs, on the 7th day of November, in the year 1825,  
 35219 and in which it is provided that the grant aforesaid shall be for  
 35220 the Shawnee tribe of Indians within the State of Missouri, "and  
 35221 for those of the same nation now residing in Ohio who may here-  
 35222 after emigrate to the west of the Mississippi;" but if there

35223 should not be a sufficiency of good land unoccupied by the  
 35224 Shawnee Indians who have already settled on the tract granted  
 35225 as aforesaid by the said treaty of Saint Louis, then the tract of  
 35226 one hundred thousand acres hereby granted to the said Shaw-  
 35227 nees of Ohio, parties to this compact, shall be located under the  
 35228 direction of the President of the United States on lands contig-  
 35229 uous to the said Shawnees of Missouri, or on any other unappro-  
 35230 priated lands within the district of country designed for the  
 35231 emigrating Indians of the United States.

35232 ARTICLE 3. The United States will defray the expenses of  
 35233 the removal of the said band or tribe of Shawnees, and will,  
 35234 moreover, supply them with a sufficiency of good and wholesome  
 35235 provisions to support them for one year after their arrival at  
 35236 their new residence.

35237 ARTICLE 4. Out of the first sales to be made of the lands  
 35238 herein ceded by the said Shawnees, the United States will cause  
 35239 a good and substantial saw-mill and a grist-mill, built in the  
 35240 best manner, and to contain two pair of stones and a good  
 35241 bolting-cloth, to be erected on the lands granted to the said  
 35242 Shawnees west of the Mississippi, and said mills shall be solely  
 35243 for their use and benefit. The United States will, out of the  
 35244 sales of the ceded lands, as aforesaid, cause a blacksmith-shop  
 35245 (to contain all the necessary tools) to be built for the said Shaw-  
 35246 nees at their intended residence, and a blacksmith shall be em-  
 35247 ployed by the United States, as long as the President thereof  
 35248 may deem proper, to execute all necessary and useful work for  
 35249 said Indians.

35250 ARTICLE 5. In lieu of the improvements which have been  
 35251 made on the lands herein ceded, it is agreed that the United  
 35252 States shall advance to the said Shawnees, (for the purpose of  
 35253 enabling them to erect houses and open farms at their intended  
 35254 residence,) the sum of thirteen thousand dollars, to be re-im-  
 35255 bursed from the sales of the lands herein ceded by them to the  
 35256 United States. A fair and equitable distribution of this sum  
 35257 shall be made by the chiefs of the said Shawnees, with the con-  
 35258 sent of the people, in general council assembled, to such indi-  
 35259 viduals of their tribe who have made improvements on the lands  
 35260 herein ceded, and may be properly entitled to the same.

35261 ARTICLE 6. The farming-utensils, live-stock, and other  
 35262 chattel property which the said Shawnees now own, and may  
 35263 not be able to carry with them, shall be sold, under the superin-  
 35264 tendance of some suitable person, appointed by the Secretary  
 35265 of War for that purpose, and the proceeds paid over to the  
 35266 owners of such property respectively.

35267 ARTICLE 7. The United States will expose to public sale, to  
 35268 the highest bidder, in the manner of selling the public lands,

35269 the tracts of land herein ceded by the said Shawnees. And  
 35270 after deducting from the proceeds of such sales the sum of sev-  
 35271 enty cents per acre, exclusive of the cost of surveying, the cost  
 35272 of the grist-mill, saw-mill, and blacksmith-shop, and the afore-  
 35273 said sum of thirteen thousand dollars, to be advanced in lieu of  
 35274 improvements, it is agreed that any balance which may remain  
 35275 of the avails of the lands after sale, as aforesaid, shall constitute  
 35276 a fund for the future necessities of said tribe, parties to this  
 35277 compact, on which the United States agree to pay to the chiefs,  
 35278 for the use and general benefit of their people, annually, five  
 35279 per centum on the amount of said balance, as an annuity, said  
 35280 fund to be continued during the pleasure of Congress, unless  
 35281 the chiefs of the said tribe or band, by and with the consent of  
 35282 their people, in general council assembled, should desire that the  
 35283 fund thus to be created should be dissolved and paid over to  
 35284 them, in which case the President shall cause the same to be so  
 35285 paid, if, in his discretion, he shall believe the happiness and  
 35286 prosperity of said tribe would be promoted thereby.

35287     ARTICLE 8. It is agreed that any annuities accruing to the  
 35288 said band or tribe of Shawnees by former treaties shall be paid  
 35289 to them at their intended residence west of the Mississippi, un-  
 35290 der the direction of the President.

35291     ARTICLE 9. In consideration of the good conduct and  
 35292 friendly dispositions of the said band of Shawnees towards the  
 35293 American Government, and as an earnest of the kind feelings  
 35294 and good wishes of the people of the United States for the fu-  
 35295 ture welfare and happiness of the said Shawnees, it is agreed  
 35296 that the United States will give them as presents the following  
 35297 articles, to be fairly divided by the chiefs among their people  
 35298 according to their several necessities, to wit: two hundred  
 35299 blankets, forty ploughs, forty sets of horse-gears, one hundred  
 35300 and fifty hoes, fifty axes, and Russia sheeting sufficient for fifty  
 35301 tents; the whole to be delivered to them as soon as practicable  
 35302 after their arrival at their new residence, except the blankets  
 35303 and Russia sheeting, which shall be given previously to their  
 35304 removal.

35305     ARTICLE 10. The lands granted by this agreement and con-  
 35306 vention to the said band or tribe of Shawnees shall not be sold  
 35307 nor ceded by them, except to the United States. And the  
 35308 United States guarantee that said lands shall never be within  
 35309 the bounds of any State or Territory, nor subject to the laws  
 35310 thereof; and further, that the President of the United States  
 35311 will cause said tribe to be protected at their intended residence  
 35312 against all interruption or disturbance from any other tribe or  
 35313 nation of Indians, or from any other person or persons what-  
 35314 ever, and he shall have the same care and superintendence over

35315 them in the country to which they are to remove that he has  
35316 heretofore had over them at their present place of residence.

35317 ARTICLE 11. It is understood by the present contracting  
35318 parties that any claims which Francis Duchouquet may have  
35319 under former treaties to a section or any quantity of the lands  
35320 herein ceded to the United States are not to be prejudiced by  
35321 the present compact, but to remain as valid as before.

35322 ARTICLE 12. In addition to the presents given in the ninth  
35323 article of this convention, it is agreed that there shall also be  
35324 given to the said Shawnees twenty-five rifle-guns, to be distrib-  
35325 uted in the manner provided in said ninth article.

35326 ARTICLE 13. At the request of the chiefs, there is granted  
35327 to Joseph Parks, a quarter-blooded Shawnee, one section of  
35328 land, to contain six hundred and forty acres, and to include his  
35329 present improvements, at the old town near Wapaghkonnetta,  
35330 in consideration of his constant friendship and many charitable  
35331 and valuable services towards the said Shawnees; and at the  
35332 request of the chiefs it is also stipulated that the price of an  
35333 average section of the lands herein ceded shall be reserved in  
35334 the hands of the Government, to be paid to their friends, the  
35335 Shawnees who now reside on the river Huron, in the Territory  
35336 of Michigan, for the purpose of bearing their expenses should  
35337 they ever wish to follow the Shawnees of Wapaghkonnetta and  
35338 Hog Creek to their new residence west of the Mississippi.

35339 ARTICLE 14. At the request of the chiefs, it is agreed that  
35340 they shall be furnished with two cross-cut saws for the use of  
35341 their tribe; and also that they shall receive four grindstones  
35342 annually for the use of their people, to be charged upon the sur-  
35343 plus fund, and they shall further receive, as presents, ten hand-  
35344 saws, ten drawing-knives, twenty files, fifty gimlets, twenty au-  
35345 gurs of different sizes, ten planes of different sizes, two braces  
35346 and bits, four hewing-axes, two dozen scythes, five frows, and  
35347 five grubbing-hoes.

35348 Proclaimed April 6, 1832.

35349 FRANKLIN PIERCE, President of the United States of America,  
35350 to all and singular to whom these presents shall come,  
35351 greeting:

35352 Whereas a treaty was made and concluded on the tenth  
35353 day of May, one thousand eight hundred and fifty-four, by  
35354 George W. Manypenny, commissioner on the part of the United  
35355 States, and the following-named delegates representing the  
35356 bands of Shawnees who were parties to the treaties of seventh  
35357 November, one thousand eight hundred and twenty-five, and  
35358 eighth of August, one thousand eight hundred and thirty-one,  
35359 viz: Joseph Parks, Black Hoof, George McDougal, Longtail,

35360 George Blue Jacket, Graham Rogers, Wah-wah-che-pa-e-kar,  
 35361 or Black Bob, and Henry Blue Jacket, thereto duly authorized  
 35362 by said tribe, which treaty is in the words following, to wit:

35363 Articles of agreement and convention made and concluded at  
 35364 the city of Washington this tenth day of May, one thou-  
 35365 sand eight hundred and fifty-four, by George W. Many-  
 35366 penny, as commissioner on the part of the United States,  
 35367 and the following-named delegates, representing the bands  
 35368 of Shawnees who were parties to the treaties of seventh of  
 35369 November, one thousand eight hundred and twenty-five,  
 35370 and eighth of August, one thousand eight hundred and  
 35371 thirty-one, viz: Joseph Parks, Black Hoof, George McDou-  
 35372 gal, Longtail, George Blue Jacket, Graham Rogers, Wa-  
 35373 wah-che-pa-e-kar, or Black Bob, and Henry Blue Jacket,  
 35374 they being thereto duly authorized by the now united tribe  
 35375 of said Shawnee Indians.

35376 ARTICLE 1. The Shawnee tribe of Indians hereby cede and  
 35377 convey to the United States all the tract of country lying west  
 35378 of the State of Missouri, which was designated and set apart  
 35379 for the Shawnees in fulfilment of, and pursuant to, the second  
 35380 and third articles of a convention made between William Clark,  
 35381 superintendent of Indian affairs, and the chiefs and head-men  
 35382 of the Shawnee Nation of Indians, at St. Louis, on the seventh  
 35383 day of November, one thousand eight hundred and twenty-five,  
 35384 (proclaimed December 30, 1825; see page 786,) which said tract  
 35385 was conveyed to said tribe (subject to the right secured by the  
 35386 second article of the treaty made at Wapaghkonetta, on the  
 35387 eighth day August, one thousand eight hundred and thirty-one.)  
 35388 (proclaimed April 6, 1832; see page 788.) by John Tyler, Pres-  
 35389 ident of the United States, by deed bearing date the eleventh day  
 35390 of May, one thousand eight hundred and forty-four—said tract  
 35391 being described by metes and bounds as follows: "Beginning at  
 35392 a point in the western boundary of the State of Missouri, three  
 35393 miles south of where said boundary crosses the mouth of Kansas  
 35394 River; thence continuing south and coinciding with said boundary  
 35395 for twenty-five miles; thence due west one hundred and twenty  
 35396 miles; thence due north, until said line shall intersect the southern  
 35397 boundary of the Kansas reservation: thence due east, coinciding  
 35398 with the southern boundary of said reservation, to the ter-  
 35399 mination thereof; thence due north, coinciding with the eastern  
 35400 boundary of said reservation, to the southern shore of the Kansas  
 35401 River; thence along said southern shore of said river, to where  
 35402 a line from the place of beginning drawn due west shall intersect  
 35403 the same"—estimated to contain sixteen hundred thousand acres.  
 35404 more or less.

35405 ARTICLE 2. The United States hereby cede to the Shawnee

35406 Indians two hundred thousand acres of land, to be selected  
 35407 between the Missouri State line, and a line parallel thereto, and  
 35408 west of the same, thirty miles distant; which parallel line shall  
 35409 be drawn from the Kansas River to the southern boundary-line  
 35410 of the country herein ceded: *Provided, however,* That the few  
 35411 families of Shawnees who now reside on their own improve-  
 35412 ments in the ceded country west of said parallel line, may, if  
 35413 they desire to remain, select there the same quantity of land for  
 35414 each individual of such family, which is hereinafter provided  
 35415 for those Shawnees residing east of said parallel line—the said  
 35416 selection, in every case, being so made as to include the present  
 35417 improvement of each family or individual. Of the lands lying  
 35418 east of the parallel line aforesaid, there shall first be set apart to  
 35419 the Missionary Society of the Methodist Episcopal Church  
 35420 South, to include the improvements of the Indian manual-labor  
 35421 school, three sections of land; to the Friends' Shawnee labor-  
 35422 school, including the improvements there, three hundred and  
 35423 twenty acres of land; and to the American Baptist Missionary  
 35424 Union, to include the improvements where the superintendent  
 35425 of their school now resides, one hundred and sixty acres of land;  
 35426 also five acres of land to the Shawnee Methodist Church, in-  
 35427 cluding the meeting-house and graveyard; and two acres of  
 35428 land to the Shawnee Baptist Church, including the meeting-  
 35429 house and graveyard. All the land selected, as herein provided,  
 35430 west of said parallel line, and that set apart to the respective  
 35431 societies for schools, and to the churches before named, shall be  
 35432 considered as part of the two hundred thousand acres reserved  
 35433 by the Shawnees.

35434 All Shawnees residing east of said parallel line shall be en-  
 35435 titled to, out of the residue of said two hundred thousand acres,  
 35436 if a single person, two hundred acres, and if the head of a family,  
 35437 a quantity equal to two hundred acres for each member of his  
 35438 or her family—to include, in every case, the improvement  
 35439 on which such person or family now resides; and if two or  
 35440 more persons or families occupy the same improvement, or  
 35441 occupy different improvements in such close proximity that  
 35442 all of such persons or families cannot have the quantity of  
 35443 land (to include their respective improvements) which they  
 35444 are entitled to, and if in such cases the parties should be  
 35445 unable to make an amicable arrangement among themselves,  
 35446 the oldest occupant or settler shall have the right to  
 35447 locate his tract so as to include said improvements, and the  
 35448 others must make a selection elsewhere, adjoining some Shaw-  
 35449 nee settlement; and in every such case the person or family re-  
 35450 taining the improvement shall pay those leaving it for the in-  
 35451 terest of the latter therein—the value of the same to be fixed,

35452 when the parties cannot agree thereupon, by such tribunal, and  
 35453 in such mode, as may be prescribed by the Shawnee council,  
 35454 with the consent of the United States agent for that tribe.

35455 The privilege of selecting lands under this provision shall  
 35456 extend to every head of a family who, although not a Shawnee,  
 35457 may have been legally married to a Shawnee, according to the  
 35458 customs of that people, and adopted by them; and to all minor  
 35459 orphan children of Shawnees, and of persons who have been  
 35460 adopted as Shawnees, who shall not have received their shares  
 35461 with any family; and all incompetent persons shall have selec-  
 35462 tions made for them adjacent, or as near as practicable, to  
 35463 their friends or relatives, which selections shall be made by  
 35464 some disinterested person or persons, appointed by the Shawnee  
 35465 council, and approved by the United States agent. In the set-  
 35466 tlement known as Black Bob's settlement, in which he has an  
 35467 improvement whereon he resides; and in that known as Long  
 35468 Tail's settlement, in which he has an improvement whereon he  
 35469 resides, there are a number of Shawnees who desire to hold  
 35470 their lands in common; it is therefore agreed that all Shaw-  
 35471 nees, including the persons adopted as aforesaid, and incompe-  
 35472 tent persons, and minor orphan children, who reside in said set-  
 35473 tlements respectively, and all who shall, within sixty days after  
 35474 the approval of the surveys hereinafter provided for, signify to  
 35475 the United States agent their election to join either of said com-  
 35476 munities and reside with them, shall have a quantity of land  
 35477 assigned and set off to them, in a compact body, at each of  
 35478 the settlements aforesaid, equal to two hundred acres to every  
 35479 individual in each of said communities. A census of the  
 35480 Shawnees residing at each of these settlements, and of the  
 35481 minor orphan children of their kindred, and of those electing to  
 35482 reside in said communities, shall be taken by the United States  
 35483 agent for the Shawnees, in order that a quantity of land equal  
 35484 to two hundred acres for each person may be set off and allot-  
 35485 ted them, to hold in common as aforesaid. After all the Shaw-  
 35486 nees, and other persons herein provided for, shall have re-  
 35487 ceived their shares of the two hundred thousand acres of land  
 35488 reserved, it is anticipated that there will still be a residue;  
 35489 and as there are some Shawnees who have been for years sepa-  
 35490 rated from the tribe, it is agreed that whatever surplus re-  
 35491 mains, after provision is made for all present members of the  
 35492 tribe, shall be set apart, in one body of land, in compact  
 35493 form, under the direction of the President of the United States;  
 35494 and all such Shawnees as return to and unite with the tribe,  
 35495 within five years from the proclamation of this instrument,  
 35496 shall be entitled to the same quantity of lands out of said sur-  
 35497 plus, and in the same manner, and subject to the same limita-

35498 tions and provisions, as are hereinbefore made for those now mem-  
 35499 bers of the said tribe; and whatever portion of said surplus re-  
 35500 mains unassigned, after the expiration of said five years, shall be  
 35501 sold as hereinafter provided. The proceeds of all such sales  
 35502 shall be retained in the Treasury of the United States until the  
 35503 expiration of ten years from the proclamation of this instrument,  
 35504 after which time, should said absent Shawnees not have returned  
 35505 and united with the tribe, all the moneys then in the Treasury,  
 35506 or that may thereafter be received therein, as proceeds of the  
 35507 sales of such surplus land, shall be applied to, or invested for,  
 35508 such beneficial or benevolent objects among the Shawnees as  
 35509 the President of the United States, after consulting with the  
 35510 Shawnee council, shall determine; and should any such absent  
 35511 Shawnees return and unite with said tribe, after the expiration  
 35512 of the period of five years hereinbefore mentioned, and before  
 35513 the expiration of the said period of ten years, the proper portion  
 35514 of any of said residue of lands that then may remain unsold  
 35515 shall be assigned to such persons; and if all said lands have been  
 35516 disposed of, an equitable payment in money shall be made to  
 35517 them out of the proceeds of the said sales. The aforesaid  
 35518 assignments and selections of lands in the tract lying between  
 35519 the Missouri State-line and the said parallel line shall be made  
 35520 within ninety days after the approval of the survey of said tract,  
 35521 and if there be any individuals recognized as at present entitled  
 35522 to lands therein, under the provisions of this article, who shall  
 35523 not have selected, or had selected for them, within said ninety  
 35524 days, their proper shares of land, the Shawnee council shall  
 35525 select one or more disinterested persons, who shall, immediately  
 35526 after the expiration of such ninety days, make selections of lands  
 35527 for them, in the same manner and subject to the same restric-  
 35528 tions as hereinbefore provided for minor orphan children not  
 35529 members of a family, and for incompetent persons. And those  
 35530 residing on improvements west of the said parallel line shall,  
 35531 within sixty days after the approval of the survey of the lands  
 35532 on which they live, make the selections of lands as and to the  
 35533 amount they are hereinbefore authorized to do. It is agreed  
 35534 that all the tracts of land in this article assigned, or provided  
 35535 to be assigned or selected, shall be assigned and selected according  
 35536 to the legal subdivisions of United States lands, and according  
 35537 to the laws of the United States respecting the entry of public  
 35538 lands, so far as said laws are applicable; and no portion of this  
 35539 instrument shall be so construed as to nullify or impair this  
 35540 stipulation. And the said Indians hereby cede, relinquish, and  
 35541 convey to the United States all tracts or parcels of land which  
 35542 may be sold, or are required to be sold, in pursuance of any  
 35543 article of this instrument.

35544 ARTICLE 3. In consideration of the cession and sale herein  
 35545 made, the United States agree to pay to the Shawnee people,  
 35546 the sum of eight hundred and twenty-nine thousand dollars, in  
 35547 manner as follows, viz: Forty thousand dollars to be invested  
 35548 by the United States at a rate of interest not less than five per  
 35549 centum per annum, which, as it accrues, is to be applied to the  
 35550 purposes of education; that amount, with the addition of the  
 35551 three thousand dollars of perpetual annuities provided by the  
 35552 treaties of August third, one thousand seven hundred and ninety-  
 35553 five, and September twenty-ninth, one thousand eight hundred  
 35554 and seventeen, and now hereby agreed to be likewise so applied,  
 35555 together with the sum to be paid by the Missionary Society of  
 35556 the Methodist Episcopal Church, South, as hereinafter provided,  
 35557 being deemed by the Shawnees as sufficient, for the present, for  
 35558 such purposes; seven hundred thousand dollars, to be paid in  
 35559 seven equal annual instalments, during the month of October of  
 35560 each year, commencing with the year one thousand eight hun-  
 35561 dred and fifty-four; and the residue of eighty-nine thousand  
 35562 dollars to be paid within the same month of the year, after the  
 35563 termination of that period.

35564 ARTICLE 4. Those of the Shawnees who may elect to live  
 35565 in common shall hereafter be permitted, if they so desire, to  
 35566 make separate selections within the bounds of the tract which  
 35567 may have been assigned to them in common; and such selec-  
 35568 tions shall be made in all respects in conformity with the rule  
 35569 herein provided to govern those who shall, in the first instance,  
 35570 make separate selections.

35571 ARTICLE 5. The lands heretofore described lying between  
 35572 the Missouri State-line and the parallel line thirty miles west of  
 35573 it, as soon after the ratification of this instrument as can con-  
 35574 veniently be done, shall be surveyed, in the same manner as the  
 35575 public lands of the United States are surveyed, the expenses  
 35576 thereof to be borne by the Shawnees and the United States in  
 35577 due proportion; and no white persons or citizens shall be permit-  
 35578 ted to make locations or settlements within said limits until  
 35579 after all the lands shall have been surveyed, and the Shawnees  
 35580 shall have made their selections and locations, and the Presi-  
 35581 dent shall have set apart the surplus.

35582 ARTICLE 6. The grants of land above made to missionary  
 35583 societies and churches shall be subject to these conditions: The  
 35584 grant to the Missionary Society of the Methodist Episcopal  
 35585 Church, South, at the Indian manual-labor school, shall be  
 35586 confirmed to said society, or to such person or persons as  
 35587 may be designated by it, by patent from the President of the  
 35588 United States, upon the allowance to the Shawnees, by said  
 35589 society, of ten thousand dollars, to be applied to the education

35590 of their youth; which it has agreed to make. The grants for  
 35591 the schools established by the Baptists and Friends shall be  
 35592 held by their respective boards of missions, so long as those  
 35593 schools shall be kept by them; when no longer used for such  
 35594 purpose by said boards, the lands, with the improvements,  
 35595 shall, under the direction of the President, be sold at public  
 35596 sale to the highest bidder, upon such terms as he may prescribe,  
 35597 the proceeds to be applied by the Shawnees to such general  
 35598 beneficial and charitable purposes as they may wish: *Provided*,  
 35599 That the improvements shall be valued, and the valuation de-  
 35600 ducted from the proceeds of sale, and returned to said boards  
 35601 respectively.

35602 ARTICLE 7. Inasmuch as Joseph Parks and Black Hoof,  
 35603 who have in times past rendered important services to the  
 35604 Shawnee Nation, would not, by reason of the small number of per-  
 35605 sons in their families, be entitled under the provisions of Article  
 35606 2 to a quantity of land equal to that which will be generally  
 35607 received by the other members of the tribe, it is agreed, at the  
 35608 request of the Shawnees, that Joseph Parks, in lieu of the land  
 35609 which he would have a right to select under the provisions of  
 35610 Article 2, shall have a quantity of land equal to two sections, or  
 35611 twelve hundred and eighty acres, to include his present residence  
 35612 and improvement; and Black Hoof, in lieu of that which he  
 35613 would have a right to select as aforesaid, shall have a quantity  
 35614 of land equal to one section, or six hundred and forty acres,  
 35615 to include his present residence and improvement; and they  
 35616 shall make selection of the land hereby granted them in the same  
 35617 manner and subject to the same limitations as are prescribed in  
 35618 Article 2, for such as shall make separate selections, in severalty,  
 35619 under the provisions thereof.

35620 ARTICLE 8. Such of the Shawnees as are competent to man-  
 35621 age their affairs shall receive their portions of the aforementioned  
 35622 annual instalments in money. But the portions of such as shall  
 35623 be found incompetent to manage their affairs, whether from  
 35624 drunkenness, depravity, or other cause, shall be disposed of by  
 35625 the President in that manner deemed by him best calculated to  
 35626 promote their interests and the comfort of their families, the  
 35627 Shawnee council being first consulted with respect to such per-  
 35628 sons, whom it is expected they will designate to their agent.  
 35629 The portions of orphan children shall be appropriated by the  
 35630 President in the manner deemed by him best for their interests.

35631 ARTICLE 9. Congress may hereafter provide for the issuing,  
 35632 to such of the Shawnees as may make separate selections,  
 35633 patents for the same, with such guards and restrictions as may  
 35634 seem advisable for their protection therein.

35635 ARTICLE 10. No portion of the money stipulated by this

instrument to be paid to the Shawnees shall be taken by the Government of the United States, by its agent or otherwise, to pay debts contracted by the Shawnees, as private individuals, nor any part thereof for the payment of national debts or obligations contracted by the Shawnee chiefs or council: *Provided*, That this article shall not be construed to prohibit the council from setting apart a portion of any annual payment, for purposes strictly national in their character, and for the payment of national or tribal debts, first to be approved by the President.

ARTICLE 11. It being represented that many of the Shawnees have sustained damage in the loss and destruction of their crops, stock, and other property, and otherwise, by reason of the great emigration which has for several years passed through their country, and of other causes, in violation, as they allege, of guaranties made for their protection by the United States, it is agreed that there shall be paid in consideration thereof, to the Shawnees, the sum of twenty-seven thousand dollars, which shall be taken and considered in full satisfaction not only of such claim but of all others of what kind soever, and in release of all demands and stipulations arising under former treaties, with the exception of the perpetual annuities, amounting to three thousand dollars, hereinbefore named, and which are set apart and appropriated in the third article hereof. All Shawnees who have sustained damage by the emigration of citizens of the United States, or by other acts of such citizens, shall, within six months after the ratification of this treaty, file their claims for such damages with the Shawnee agent, to be submitted by him to the Shawnee council for their action and decision, and the amount in each case approved shall be paid by said agent: *Provided*, The whole amount of claims thus approved shall not exceed the said sum stipulated for in this article: *And provided*, That if such amount shall exceed that sum then a reduction shall be made, *pro rata*, from each claim until the aggregate is lowered to that amount. If less than that amount be adjudged to be due, the residue, it is agreed, shall be appropriated as the council shall direct.

ARTICLE 12. If, from causes not now foreseen, this instrument should prove insufficient for the advancement and protection of the welfare and interests of the Shawnees, Congress may hereafter by law make such further provision, not inconsistent herewith, as experience may prove to be necessary to promote the interests, peace, and happiness of the Shawnee people.

ARTICLE 13. It is agreed that all roads and highways laid out by authority of law shall have a right of way through any of the reserved, assigned, and selected lands on the same terms that the law provides for their location through the lands of cit-

35682 izens of the United States ; and railroad companies, when the  
 35683 lines of their roads necessarily pass through any of said lands,  
 35684 shall have the right of way on payment of a just compensation  
 35685 therefor in money.

35686 ARTICLE 14. The Shawnees acknowledge their dependence  
 35687 on the Government of the United States, and invoke its protec-  
 35688 tion and care. They will abstain from the commission of depre-  
 35689 dations, and comply, as far as they are able, with the laws in such  
 35690 cases made and provided, as they will expect to be protected and  
 35691 to have their rights vindicated.

35692 ARTICLE 15. The Shawnees agree to suppress the use of  
 35693 ardent spirits among their people, and to resist, by all prudent  
 35694 means, its introduction into their settlements.

35695 ARTICLE 16. The United States reserve, at the site of the  
 35696 agency-house in the Shawnee country, including the improve-  
 35697 ments, one hundred and sixty acres of land.

35698 ARTICLE 17. The foregoing instrument shall be obligatory  
 35699 on the contracting parties as soon as the same shall be ratified  
 35700 by the President and the Senate of the United States.

35701 Proclaimed November 2, 1854.

35702

#### S'KLALLAMS.

35703 *Treaty between the United States of America and the S'Klallams*  
 35704 *Indians, concluded at Point no Point, Washington Territory,*  
 35705 *January 26, 1855 ; ratified by the Senate March 8, 1859.*

35706 JAMES BUCHANAN, President of the United States of America,  
 35707 to all and singular to whom these presents shall come,  
 35708 greeting :

35709 Whereas a treaty was made and concluded at Hahd Skus,  
 35710 or Point no Point, in Washington Territory, on the twenty-sixth  
 35711 day of January, eighteen hundred and fifty-five, between Isaac  
 35712 I. Stevens, governor and superintendent of Indian affairs for  
 35713 the said Territory, on the part of the United States, and the  
 35714 hereinafter-named chiefs, head-men, and delegates of the  
 35715 different villages of the S'Klallams Indians, viz : The Kah-tai,  
 35716 Squah-quaihtl, Teh-queen, Ste-tehtlum, Tsohkw, Yennis, El-  
 35717 hwa, Pishtst, Hunnint, Klat-la-wash, and Oke-no, and also of the  
 35718 Sko-ko-nish, Too-an-hooch, and Chem-a-kum tribes occupying  
 35719 certain lands on the Straits of Fuca and Hood's Canal, in the  
 35720 Territory of Washington, on behalf of said tribes, and duly  
 35721 authorized by them ; which treaty is in the words and figures  
 35722 following, to wit :

35723 Articles of agreement and convention made and concluded at  
 35724 Hahdskus, or Point no Point, Suquamish Head, in the Ter-  
 35725 ritory of Washington, this twenty-sixth day of January,  
 35726 eighteen hundred and fifty-five, by Isaac I. Stevens, gov-  
 35727 ernor and superintendent of Indian affairs for the said Ter-  
 35728 ritory, on the part of the United States, and the under-  
 35729 signed chiefs, head-men, and delegates of the different vil-  
 35730 lages of the S'Klallams, viz: Kah-tai, Squah-quaihtl, Teh-  
 35731 queen, Ste-tehtlum, Tsohkw, Yennis, Elh-wa, Pishtst, Hun-  
 35732 nint, Klat-la-wash, and Oke-ho, and also of the Sko-ko-mish,  
 35733 To-an-hooch, and Chem-a-kum tribes, occupying certain  
 35734 lands on the Straits of Fuca and Hood's Canal, in the Terri-  
 35735 tory of Washington, on behalf of said tribes, and duly au-  
 35736 thorized by them.

35737 ARTICLE 1. The said tribes and bands of Indians hereby  
 35738 cede, relinquish, and convey to the United States all their right,  
 35739 title, and interest in and to the lands and country occupied by  
 35740 them, bounded and described as follows, viz: Commencing at  
 35741 the mouth of the Okeho River, on the Straits of Fucha; thence  
 35742 southeastwardly along the westerly line of territory claimed by  
 35743 the Makah tribe of Indians to the summit of the Cascade Range;  
 35744 thence still southeastwardly and southerly along said summit to  
 35745 the head of the west branch of the Satsop River, down that  
 35746 branch to the main fork; thence eastwardly and following the  
 35747 line of lands heretofore ceded to the *the* United States by the  
 35748 Nisqually and other tribes and bands of Indians, to the summit  
 35749 of the Black Hills, and northeastwardly to the portage known  
 35750 as Wilkes' Portage; thence norteastwardly, and following the  
 35751 line of lands heretofore ceded to the United States by the  
 35752 Dwamish, Suquamish, and other tribes and bands of Indians, to  
 35753 Suquamish Head; thence northerly through Admiralty Inlet to  
 35754 the Straits of Fuca; thence westwardly through said straits to  
 35755 the place of beginning, including all the right, title, and interest  
 35756 of the said tribes and bands to any land in the Territory of  
 35757 Washington.

35758 ARTICLE 2. There is, however, reserved for the present use  
 30759 and occupation of the said tribes and bands the following tract  
 35760 of land, viz: The amount of six sections, or three thousand eight  
 35761 hundred and forty acres, situated at the head of Hood's Canal,  
 35762 to be hereafter set apart, and, so far as necessary, surveyed and  
 35763 marked out for their exclusive use; nor shall any white man be  
 35764 permitted to reside upon the same without permission of the  
 35765 said tribes and bands, and of the superintendent or agent; but,  
 35766 if necessary for the public convenience, roads may be run  
 30767 through the said reservation, the Indians being compensated for  
 35768 any damage thereby done them. It is, however, understood

35769 that should the President of the United States hereafter see fit  
 35770 to place upon the said reservation any other friendly tribe or  
 35771 band to occupy the same in common with those above mentioned,  
 35772 he shall be at liberty to do so.

35773 ARTICLE 3. The said tribes and bands agree to remove to  
 35774 and settle upon the said reservation within one year after the  
 35775 ratification of this treaty, or sooner if the means are furnished  
 35776 them. In the mean time it shall be lawful for them to reside  
 35777 upon any lands not in the actual claim or occupation of citizens  
 35778 of the United States, and upon any land claimed or occupied, if  
 35779 with the permission of the owner.

35780 ARTICLE 4. The right of taking fish at usual and accustomed  
 35781 grounds and stations is further secured to said Indians, in com-  
 35782 mon with all citizens of the United States, and of erecting tem-  
 35783 porary houses for the purpose of curing, together with the priv-  
 35784 ilege of hunting and gathering roots and berries on open and  
 35785 unclaimed lands: *Provided, however,* That they shall not take  
 35786 shell-fish from any beds staked or cultivated by citizens.

35787 ARTICLE 5. In consideration of the above cession the United  
 35788 States agree to pay to the said tribes and bands the sum of sixty  
 35789 thousand dollars, in the following manner, that is to say: during  
 35790 the first year after the ratification hereof, six thousand dollars;  
 35791 for the next two years, five thousand dollars each year; for the  
 35792 next three years, four thousand dollars each year; for the next  
 35793 four years, three thousand dollars each year; for the next five  
 35794 years, two thousand four hundred dollars each year; and for the  
 35795 next five years, one thousand six hundred dollars each year. All  
 35796 which said sums of money shall be applied to the use and benefit  
 35797 of the said Indians, under the direction of the President of the  
 35798 United States, who may from time to time determine at his dis-  
 35799 cretion upon what beneficial objects to expend the same. And  
 35800 the superintendent of Indian affairs, or other proper officer, shall  
 35801 each year inform the President of the wishes of said Indians in  
 35802 respect thereto.

35803 ARTICLE 6. To enable the said Indians to remove to and  
 35804 settle upon their aforesaid reservations, and to clear, fence, and  
 35805 break up a sufficient quantity of land for cultivation, the United  
 35806 States further agree to pay the sum of six thousand dollars, to  
 35807 be laid out and expended under the direction of the President,  
 35808 and in such manner as he shall approve.

35809 ARTICLE 7. The President may hereafter, when in his opin-  
 35810 ion the interests of the Territory shall require, and the welfare of  
 35811 said Indians be promoted, remove them from said reservation to  
 35812 such other suitable place or places within said Territory as he  
 35813 may deem fit, on remunerating them for their improvements and  
 35814 the expenses of their removal, or may consolidate them with

35815 other friendly tribes or bands. And he may further, at his dis-  
 35816 cretion, cause the whole or any portion of the lands hereby re-  
 35817 served, or of such other lands as may be selected in lieu thereof,  
 35818 to be surveyed into lots, and assign the same to such individuals  
 35819 or families as are willing to avail themselves of the privilege and  
 35820 will locate thereon as a permanent home, on the same terms and  
 35821 subject to the same regulations as are provided in the sixth ar-  
 35822 ticle of the treaty with the Omahas, so far as the same may be  
 35823 applicable. Any substantial improvements heretofore made by  
 35824 any Indian, and which he shall be compelled to abandon in con-  
 35825 sequence of this treaty, shall be valued under the direction of  
 35826 the President, and payment made therefor accordingly.

35827 ARTICLE 8. The annuities of the aforesaid tribes and bands  
 35828 shall not be taken to pay the debts of individuals.

35829 ARTICLE 9. The said tribes and bands acknowledge their  
 35830 dependence on the Government of the United States, and  
 35831 promise to be friendly with all citizens thereof; and they pledge  
 35832 themselves to commit no depredations on the property of such  
 35833 citizens. And should any one or more of them violate this pledge,  
 35834 and the fact be satisfactorily proven before the agent, the prop-  
 35835 erty taken shall be returned, or in default thereof, or if injured  
 35836 or destroyed, compensation may be made by the Government  
 35837 out of their annuities. Nor will they make war on any other  
 35838 tribe, except in self-defence, but will submit all matters of dif-  
 35839 ference between them and other Indians to the Government of  
 35840 the United States, or its agent, for decision, and abide thereby.  
 35841 And if any of the said Indians commit any depredations on any  
 35842 other Indians within the Territory, the same rule shall prevail  
 35843 as that prescribed in this article in cases of depredations against  
 35844 citizens. And the said tribes agree not to shelter or conceal  
 35845 offenders against the United States, but to deliver them up for  
 35846 trial by the authorities.

35847 ARTICLE 10. The above tribes and bands are desirous to  
 35848 exclude from their reservation the use of ardent spirits, and to  
 35849 prevent their people from drinking the same, and therefore it is  
 35850 provided that any Indian belonging thereto who shall be guilty  
 35851 of bringing liquor into said reservation, or who drinks liquor,  
 35852 may have his or her proportion of the annuities withheld from  
 35853 him or her for such time as the President may determine.

35854 ARTICLE 11. The United States further agree to establish  
 35855 at the general agency for the district of Puget's Sound, within  
 35856 one year from the ratification hereof, and to support for the  
 35857 period of twenty years, an agricultural and industrial school, to  
 35858 be free to children of the said tribes and bands in common with  
 35859 those of the other tribes of said district, and to provide a smithy  
 35860 and carpenter's shop, and furnish them with the necessary tools,

35861 and employ a blacksmith, carpenter, and farmer for the term of  
 35862 twenty years, to instruct the Indians in their respective occupa-  
 35863 tions. And the United States further agree to employ a physi-  
 35864 cian to reside at the said central agency, who shall furnish med-  
 35865 icine and advice to the sick, and shall vaccinate them; the ex-  
 35866 penses of the said school, shops, persons employed, and medical  
 35867 attendance to be defrayed by the United States, and not de-  
 35868 ducted from the annuities.

35869 ARTICLE 12. The said tribes and bands agree to free all  
 35870 slaves now held by them, and not to purchase or acquire others  
 35871 hereafter.

35872 ARTICLE 13. The said tribes and bands finally agree not to  
 35873 trade at Vancouver's Island, or elsewhere out of the dominions  
 35874 of the United States, nor shall foreign Indians be permitted to  
 35875 reside in their reservations without consent of the superintendent  
 35876 or agent.

35877 ARTICLE 14. This treaty shall be obligatory on the con-  
 35878 tracting parties as soon as the same shall be ratified by the Presi-  
 35879 dent of the United States.

35880 Proclaimed April 29, 1859.

35881

#### SNAKES.

35882 *Treaty between the United States of America and the Woll-pah-pe*  
 35883 *tribe of Snake Indians, concluded August 12, 1865; ratifica-*  
 35884 *tion advised July 5, 1866.*

35885 ANDREW JOHNSON, President of the United States of America,  
 35886 to all and singular to whom these presents shall come,  
 35887 greeting:

35888 Whereas a treaty was made and concluded at Sprague River  
 35889 Valley, on the twelfth day of August, in the year of our Lord  
 35890 one thousand eight hundred and sixty-five, by and between J.  
 35891 W. Perit Huntington, commissioner on the part of the United  
 35892 States, and Pah-ni-ne, Hau-ni-noo-ey, and other chiefs and head-  
 35893 men, on the part of the Woll-pah-pe tribe of Snake Indians,  
 35894 and duly authorized thereto by them, which treaty is in the  
 35895 words and figures following, to wit:

35896 Articles of agreement and convention made and concluded at  
 35897 Sprague River Valley, on this twelfth day of August, in the  
 35898 year one thousand eight hundred and sixty-five, by J. W.  
 35899 Perit Huntington, superintendent of Indian affairs in Ore-  
 35900 gon, on the part of the United States, and the undersigned  
 35901 chiefs and head-men of the Woll-pah-pe tribe of Snake In

35902 dians, acting in behalf of said tribe, being duly authorized  
35903 so to do.

35904 ARTICLE 1. Peace is declared henceforth between the Uni-  
35905 ted States and the Woll-pah-pe tribe of Snake Indians, and also  
35906 between said tribe and all other tribes in amity with the United  
35907 States. All prisoners and slaves held by the Woll-pah-pe tribe,  
35908 whether the same are white persons or members of Indian tribes  
35909 in amity with the United States, shall be released; and all per-  
35910 sons belonging to the said Woll-pah-pe tribe now held as pris-  
35911 oners by whites, or as slaves by other Indian tribes, shall be  
35912 given up.

35913 ARTICLE 2. The said tribe hereby cedes and relinquishes  
35914 to the United States all their right, title, and interest to the  
35915 country occupied by them, described as follows, to wit: Begin-  
35916 ning at the Snow Peak in the summit of the Blue Mountain  
35917 range, near the heads of the Grande Ronde River and the north  
35918 fork of John Day's River; thence down said north fork of John  
35919 Day's River to its junction with the south fork; thence due  
35920 south to Crooked River; thence up Crooked River and the south  
35921 fork thereof to its source; thence southeasterly to Harney Lake;  
35922 thence northerly to the heads of Malheur and Burnt Rivers;  
35923 thence continuing northerly to the place of beginning.

35924 ARTICLE 3. The said tribe agree to remove forthwith to the  
35925 reservation designated by the treaty concluded on the 15th of  
35926 October, 1864, with the Klamath, Moadoc, and Yahooskii Snake  
35927 Indians, there to remain under the authority and protection of  
35928 such Indian agent or other officer as the Government of the  
35929 United States may assign to such duty, and no member of said  
35930 tribe shall leave said reservation for any purpose without the  
35931 written consent of the agent or superintendent having jurisdic-  
35932 tion over said tribe.

35933 ARTICLE 4. The said Woll-pah-pe tribe promise to be friendly  
35934 with the people of the United States, to submit to the authority  
35935 thereof, and to commit no depredations upon the persons or  
35936 property of citizens thereof or of other Indian tribes; and  
35937 should any member of said tribe commit any such depredations,  
35938 he shall be delivered up to the agent for punishment, and the  
35939 property restored. If after due notice the tribe neglect or refuse  
35940 to make restitution, or the property is injured or destroyed,  
35941 compensation may be made by the Government out of the annu-  
35942 ties hereinafter provided. In case of any depredation being  
35943 committed upon the person or property of any member of the  
35944 aforesaid Woll-pah-pe tribe, it is stipulated that no attempt at  
35945 revenge, retaliation, or reclamation shall be made by said tribe;  
35946 but the case shall be reported to the agent or superintendent in  
35947 charge, and the United States guarantee that such depredation

35948 shall be punished in the same manner as if committed against  
 35949 white persons, and that the property shall be restored to the  
 35950 owner.

35951 ARTICLE 5. The said tribe promise to endeavor to induce  
 35952 the Hoo-ne-boo-ey and Wa-tat-kah tribes of Snake Indians to  
 35953 cease hostilities against the whites; and they also agree that  
 35954 they will, in no case, sell any arms or ammunition to them nor  
 35955 to any other tribe hostile to the United States.

35956 ARTICLE 6. The United States agree to expend, for the use  
 35957 and benefit of said tribe, the sum of five thousand dollars to  
 35958 enable the Indians to fence, break up, and cultivate a sufficient  
 35959 quantity of land for their use; to supply them with seeds, farm-  
 35960 ing-implements, domestic animals, and such subsistence as may  
 35961 be necessary during the first year of their residence upon the  
 35962 reservation.

35963 ARTICLE 7. The United States also agree to expend, for the  
 35964 use and benefit of said tribe, the sum of two thousand dollars  
 35965 per annum for five years next succeeding the ratification of this  
 35966 treaty, and twelve hundred dollars per annum for the next ten  
 35967 years following, the same to be expended under the direction of  
 35968 the President of the United States for such objects as, in his  
 35969 judgment, will be beneficial to the Indians, and advance them  
 35970 in morals and knowledge of civilization.

35971 ARTICLE 8. The said tribe, after their removal to the reser-  
 35972 vation, are to have the benefit of the services of the physician,  
 35973 mechanics, farmers, teachers, and other employés provided for  
 35974 in the treaty of the 15th October, 1864, in common with the  
 35975 Klamaths, Moadocs, and Yahooskiu Snakes, and are also to  
 35976 have the use of the mills and school-houses provided for in said  
 35977 treaty, so far as may be necessary to them, and not to the dis-  
 35978 advantage of the other tribes; and, in addition, an interpreter  
 35979 who understands the Snake language shall be provided by the  
 35980 Government. Whenever, in the judgment of the President, the  
 35981 proper time shall have arrived for an allotment of land in sever-  
 35982 alty to the Indians upon the said reservation, a suitable tract  
 35983 shall be set apart for each family of the said Woll-pah pe tribe,  
 35984 and peaceable possession of the same is guaranteed to them.

35985 ARTICLE 9. The tribe are desirous of preventing the use of  
 35986 ardent spirits among themselves, and it is therefore provided  
 35987 that any Indian who brings liquor on to the reservation, or who  
 35988 has it in his possession, may, in addition to the penalties affixed  
 35989 by law, have his or her proportion of the annuities withheld for  
 35990 such time as the President may determine.

35991 ARTICLE 10. This treaty shall be obligatory upon the con-  
 35992 tracting parties as soon as the same shall be ratified by the  
 35993 Senate of the United States.

35994 Proclaimed July 10, 1866.

*Treaty with the Seminoles.*

35995

35996       The Seminole Indians regarding, with just respect, the so-  
 35997 licitude manifested by the President of the United States for  
 35998 the improvement of their condition, by recommending a remo-  
 35999 val to a country more suitable to their habits and wants than  
 36000 the one they at present occupy in the Territory of Florida, are  
 36001 willing that their confidential chiefs, Jumper, Fuck-a-lus-ti-had-  
 36002 jo, Charley Emartla, Coi-had jo, Holati-Emartla, Ya-ha-hadjo,  
 36003 Sam Jones, accompanied by their agent, Major Phagan, and  
 36004 their faithful interpreter, Abraham, should be sent at the expense  
 36005 of the United States, as early as convenient, to examine the  
 36006 country assigned to the Creeks west of the Mississippi River;  
 36007 and should they be satisfied with the character of that country,  
 36008 and of the favorable disposition of the Creeks to reunite with  
 36009 the Seminoles as one people, the articles of the compact and  
 36010 agreement, herein stipulated at Payne's Landing on the Ockle-  
 36011 waha River, this ninth day of May, one thousand eight hundred  
 36012 and thirty-two, between James Gadsden, for and in behalf of  
 36013 the Government of the United States, and the undersigned  
 36014 chiefs and head-men, for and in behalf of the Seminole Indians,  
 36015 shall be binding on the respective parties.

36016       ARTICLE 1. The Seminole Indians relinquish to the United  
 36017 States all claim to the lands they at present occupy in the Ter-  
 36018 ritory of Florida, and agree to emigrate to the country assigned  
 36019 to the Creeks west of the Mississippi River, it being under-  
 36020 stood that an additional extent of territory, proportioned to  
 36021 their numbers, will be added to the Creek country, and that the  
 36022 Seminoles will be received as a constituent part of the Creek  
 36023 Nation, and be re-admitted to all the privileges as members of  
 36024 the same.

36025       ARTICLE 2. For and in consideration of the relinquish-  
 36026 ment of claim in the first article of this agreement, and in full  
 36027 compensation for all the improvements which may have been  
 36028 made on the lands thereby ceded, the United States stipulate  
 36029 to pay to the Seminole Indians, fifteen thousand four hundred  
 36030 (15,400) dollars, to be divided among the chiefs and warriors of  
 36031 the several towns in a ratio proportioned to their population,  
 36032 the respective proportions of each to be paid on their arrival in  
 36033 the country they consent to remove to; it being understood  
 36034 that their faithful interpreters, Abraham and Cudjo, shall receive  
 36035 two hundred dollars each of the above sum, in full remunera-  
 36036 tion for the improvements to be abandoned on the lands now  
 36037 cultivated by them.

36038       ARTICLE 3. The United States agree to distribute, as they  
 36039 arrive at their new homes in the Creek territory west of the  
 36040 Mississippi River, a blanket and a homespun frock to each of

36041 the warriors, women, and children of the Seminole tribe of  
36042 Indians.

36043 ARTICLE 4. The United States agree to extend the annuity  
36044 for the support of a blacksmith, provided for in the sixth article  
36045 of the treaty at Camp Moultrie, (proclaimed 2d January, 1824 ;  
36046 see page 391,) for ten (10) years beyond the period therein  
36047 stipulated; and, in addition to the other annuities secured  
36048 under that treaty, the United States agree to pay the sum of  
36049 three thousand (3,000) dollars a year for fifteen (15) years, com-  
36050 mencing after the removal of the whole tribe; these sums to  
36051 be added to the Creek annuities, and the whole amount to be so  
36052 divided that the chiefs and warriors of the Seminole Indians  
36053 may receive their equitable proportion of the same as members  
36054 of the Creek confederation—

36055 ARTICLE 5. The United States will take the cattle belong-  
36056 ing to the Seminoles at the valuation of some discreet person, to  
36057 be appointed by the President, and the same shall be paid for in  
36058 money to the respective owners, after their arrival at their new  
36059 homes; or other cattle, such as may be desired, will be furnished  
36060 them, notice being given through their agent of their wishes  
36061 upon this subject before their removal, that time may be afford-  
36062 ed to supply the demand.

36063 ARTICLE 6. The Seminoles, being anxious to be relieved  
36064 from repeated vexatious demands for slaves and other property,  
36065 alleged to have been stolen and destroyed by them, so that they  
36066 may remove unembarrassed to their new homes, the United  
36067 States stipulate to have the same property investigated, and to  
36068 liquidate such as may be satisfactorily established, provided the  
36069 amount does not exceed seven thousand (7,000) dollars.

36070 ARTICLE 7. The Seminole Indians will remove within three  
36071 (3) years after the ratification of this agreement, and the ex-  
36072 penses of their removal shall be defrayed by the United States,  
36073 and such subsistence shall also be furnished them, for a term not  
36074 exceeding twelve (12) months after their arrival at their new  
36075 residence, as in the opinion of the President their numbers and  
36076 circumstances may require, the emigration to commence as  
36077 early as practicable in the year eighteen hundred and thirty-  
36078 three, (1833,) and with those Indians at present occupying the  
36079 Big Swamp, and other parts of the country beyond the limits as  
36080 defined in the second article of the treaty concluded at Camp  
36081 Moultrie Creek, so that the whole of that proportion of the Semi-  
36082 noles may be removed within the year aforesaid, and the re-  
36083 mainder of the tribe in about equal proportions during the sub-  
36084 sequent years of eighteen hundred and thirty-four and five,  
36085 (1834 and 1835.)

36086 Proclaimed April 12, 1834.

*Treaty with the Seminole Indians.*

36087

36088       Whereas the Seminole Indians of Florida entered into cer-  
 36089       tain articles of agreement with James Gadson, [Gadsden,] com-  
 36090       missioner on behalf of the United States, at Payne's Landing,  
 36091       on the 9th day of May, 1832, (preceding treaty,) the first article  
 36092       of which treaty or agreement provides as follows: "The Semi-  
 36093       nole Indians relinquish to the United States all claim to the  
 36094       land they at present occupy in the Territory of Florida, and  
 36095       agree to emigrate to the country assigned to the Creeks west of  
 36096       the Mississippi River; it being understood that an additional  
 36097       extent of territory portioned to their number will be added to  
 36098       the Creek country, and that the Seminoles will be received as a  
 36099       constituent part of the Creek Nation, and be re-admitted to all  
 36100       the privileges as members of the same;" and

36101       Whereas the said agreement stipulates and provides that a  
 36102       delegation of Seminoles should be sent, at the expense of the  
 36103       United States, to examine the country to be allotted them among  
 36104       the Creeks, and should this delegation be satisfied with the  
 36105       character of the country and of the favorable disposition of the  
 36106       Creeks to unite with them as one people, then the aforemen-  
 36107       tioned treaty would be considered binding and obligatory upon  
 36108       the parties; and

36109       Whereas a treaty was made between the United States and  
 36110       the Creek Indians west of the Mississippi, at Fort Gibson, on  
 36111       the 14th day of February, 1833, by which a country was provided  
 36112       for the Seminoles in pursuance of the existing arrangements be-  
 36113       tween the United States and that tribe; and

36114       Whereas the special delegation appointed by the Seminoles  
 36115       on the 9th day of May, 1832, have since examined the land desig-  
 36116       nated for them by the undersigned commissioners on behalf of  
 36117       the United States, and have expressed themselves satisfied with  
 36118       the same in and by their letter dated March, 1833, addressed to  
 36119       the undersigned commissioners:

36120       Now, therefore, the commissioners aforesaid, by virtue of  
 36121       the power and authority vested in them by the treaty made with  
 36122       Creek Indians on the 14th of February, 1833, as above stated,  
 36123       hereby designate and assign to the Seminole tribe of Indians,  
 36124       for their separate future residence, forever, a tract of country  
 36125       lying between the Canadian River and the north fork thereof,  
 36126       and extending west to where a line running north and south be-  
 36127       tween the main Canadian and north branch will strike the forks  
 36128       of Little River, provided said west line does not extend more  
 36129       than twenty-five miles west from the mouth of said Little River.  
 36130       And the undersigned Seminole chiefs, delegated as aforesaid,  
 36131       on behalf of their nation hereby declare themselves well satisfied

36132 with the location provided for them by the commissioners, and  
 36133 agree that their nation shall commence the removal to their new  
 36134 home as soon as the Government will make arrangements for  
 36135 their emigration satisfactory to the Seminole Nation.

36136 And whereas the said Seminoles have expressed high con-  
 36137 fidence in the friendship and ability of their present agent, Major  
 36138 Phagen, and desire that he may be permitted to remove them to  
 36139 their new homes west of the Mississippi, the commissioners have  
 36140 considered their request, and cheerfully recommend Major Pha-  
 36141 gen as a suitable person to be employed to remove the Seminoles  
 36142 as aforesaid, and trust his appointment will be made, not only  
 36143 to gratify the wishes of the Indians, but as conducive to the pub-  
 36144 lic welfare.

36145 Proclaimed April 12, 1834.

36146 *Treaty between the United States of America and the Seminole*  
 36147 *Nation of Indians, concluded March 21, 1866; ratification*  
 36148 *advised July 19, 1866.*

36149 ANDREW JOHNSON, President of the United States of America,  
 36150 to all and singular to whom these presents shall come, greet-  
 36151 ing:

36152 Whereas a treaty was made and concluded at the city of  
 36153 Washington, in the District of Columbia, on the twenty-first day  
 36154 of March, in the year of our Lord one thousand eight hundred  
 36155 and sixty-six, by and between Dennis N. Cooley, Elijah Sells,  
 36156 and Col. Ely S. Parker, commissioners on the part of the United  
 36157 States, and John Chup-co, Cho-cote-harjo, Fos-harjo, and John  
 36158 F. Brown, chiefs and delegates of the Seminole Indians, on the  
 36159 part of said Indians, and duly authorized thereto by them, which  
 36160 treaty is in the words and figures following, to wit:

36161 Articles of a treaty made and concluded at Washigton, D. C.,  
 36162 March 21, A. D. 1866, between the United States Govern-  
 36163 ment, by its commissioners, D. N. Cooley, Commissioner of  
 36164 Indian Affairs, Elijah Sells, superintendent of Indian affairs,  
 36165 and Ely S. Parker, and the Seminole Indians, by their chiefs,  
 36166 John Chup-co, or Long John, Cho-cote-harjo, Fos-ha[r]-jo,  
 36167 John F. Brown.

36168 Whereas existing treaties between the United States and  
 36169 the Seminole Nation are insufficient to meet their mutual neces-  
 36170 sities; and

36171 Whereas the Seminole Nation made a treaty with the so-  
 36172 called Confederate States, August 1st, 1861, whereby they threw  
 36173 off their allegiance to the United States, and unsettled their  
 36174 treaty relations with the United States, and thereby incurred

the liability of forfeiture of all lands and other property held by grant or gift of the United States; and

Whereas a treaty of peace and amity was entered into between the United States and the Seminole and other tribes at Fort Smith, September 10, 1865, whereby the Seminoles revoked, cancelled, and repudiated the said treaty with the so-called Confederate States; and

Whereas the United States, through its commissioners, in said treaty of peace promised to enter into treaty with the Seminole Nation to arrange and settle all questions relating to and growing out of said treaty with the so-called Confederate States; and

Whereas the United States, in view of said treaty of the Seminole Nation with the enemies of the Government of the United States, and the consequent liabilities of said Seminole Nation, and in view of its urgent necessities for more lands in the Indian Territory, requires a cession by said Seminole Nation of part of its present reservation, and is willing to pay therefor a reasonable price, while at the same time providing new and adequate lands for them :

Now, therefore, the United States, by its commissioners aforesaid, and the above-named delegates of the Seminole Nation, the day and year above written, mutually stipulate and agree, on behalf of the respective parties, as follows, to wit :

ARTICLE 1. There shall be perpetual peace between the United States and the Seminole Nation, and the Seminoles agree to be and remain firm allies of the United States, and always faithfully aid the Government thereof to suppress insurrection and put down its enemies.

The Seminoles also agree to remain at peace with all other Indian tribes and with themselves. In return for these pledges of peace and friendship, the United States guarantee them quiet possession of their country, and protection against hostilities on the part of other tribes, and, in the event of such hostilities, that the tribe commencing and prosecuting the same shall make just reparation therefor. Therefore, the Seminoles agree to a military occupation of their country at the option and expense of the United States.

A general amnesty of all past offences against the laws of the United States, committed by any member of the Seminole Nation, is hereby declared; and the Seminoles, anxious for the restoration of kind and friendly feelings among themselves, do hereby declare an amnesty for all past offenses against their government, and no Indian or Indians shall be proscribed or any act of forfeiture or confiscation passed against those who have remained friendly to or taken up arms against the United

36221 States, but they shall enjoy equal privileges with other mem-  
 36222 bers of said tribe, and all laws heretofore passed inconsistent  
 36223 herewith are hereby declared inoperative.

36224       ARTICLE 2. The Seminole Nation covenant that henceforth  
 36225 in said nation slavery shall not exist, nor involuntary servitude,  
 36226 except for and in punishment of crime, whereof the offending  
 36227 party shall first have been duly convicted in accordance with  
 36228 law applicable to all the members of said nation. And inas-  
 36229 much as there are among the Seminoles many persons of Afri-  
 36230 can descent and blood, who have no interest or property in the  
 36231 soil, and no recognized civil rights, it is stipulated that hereaf-  
 36232 ter these persons and their descendants, and such other of the  
 36233 same race as shall be permitted by said nation to settle there,  
 36234 shall have and enjoy all the rights of native citizens, and the  
 36235 laws of said nation shall be equally binding upon all persons, of  
 36236 whatever race or color, who may be adopted as citizens or mem-  
 36237 bers of said tribe.

36238       ARTICLE 3. In compliance with the desire of the United  
 36239 States to locate other Indians and freedmen thereon, the Semi-  
 36240 noles cede and convey to the United States their entire domain,  
 36241 being the tract of land ceded to the Seminole Indians by the  
 36242 Creek Nation under the provisions of article first, (1st,) treaty  
 36243 of the United States with the Creeks and Seminoles, made and  
 36244 concluded at Washington, D. C., August 7, 1856, (see page 104.)  
 36245 In consideration of said grant and cession of their lands, esti-  
 36246 mated at two million one hundred and sixty-nine thousand and  
 36247 eighty (2,169,080) acres, the United States agree to pay said Sem-  
 36248 inole Nation the sum of three hundred and twenty-five thou-  
 36249 sand three hundred and sixty-two (\$325,362) dollars, said purchase  
 36250 being at the rate of fifteen cents per acre. The United States  
 36251 having obtained by grant of the Creek Nation the westerly half of  
 36252 their lands, hereby grant to the Seminole Nation the portion thereof  
 36253 hereafter described, which shall constitute the national domain  
 36254 of the Seminole Indians. Said lands so granted by the United  
 36255 States to the Seminole Nation are bounded and described as fol-  
 36256 lows, to wit: Beginning on the Canadian River where the line di-  
 36257 viding the Creek lands according to the terms of their sale to the  
 36258 United States by their treaty of February 6, 1866, following  
 36259 said line due north to where said line crosses the north fork of  
 36260 the Canadian River; thence up said north fork of the Canadian  
 36261 River a distance sufficient to make two hundred thousand acres  
 36262 by running due south to the Canadian River; thence down said  
 36263 Canadian River to the place of beginning. In consideration of  
 36264 said cession of two hundred thousand acres of land described  
 36265 above, the Seminole Nation agrees to pay therefor the price of  
 36266 fifty cents per acre, amounting to the sum of one hundred thou-

36267 sand dollars, which amount shall be deducted from the sum  
 36268 paid by the United States for Seminole lands under the stipula-  
 36269 tions above written. The balance due the Seminole Nation after  
 36270 making said deduction, amounting to one hundred thousand  
 36271 dollars, the United States agree to pay in the following manner,  
 36272 to wit: Thirty thousand dollars shall be paid to enable the  
 36273 Seminoles to occupy, restore, and improve their farms, and to make  
 36274 their nation independent and self-sustaining, and shall be dis-  
 36275 tributed for that purpose under the direction of the Secretary  
 36276 of the Interior; twenty thousand dollars shall be paid in like  
 36277 manner for the purpose of purchasing agricultural implements,  
 36278 seeds, cows, and other stock; fifteen thousand dollars shall be  
 36279 paid for the erection of a mill suitable to accommodate said  
 36280 nation of Indians; seventy thousand dollars to remain in the  
 36281 United States Treasury, upon which the United States shall  
 36282 pay an annual interest of five per cent.; fifty thousand of said  
 36283 sum of seventy thousand dollars shall be a permanent school-  
 36284 fund, the interest of which shall be paid annually and appro-  
 36285 priated to the support of schools; the remainder of the seventy  
 36286 thousand dollars, being twenty thousand dollars, shall remain a  
 36287 permanent fund, the interest of which shall be paid annually for  
 36288 the support of the Seminole government; forty thousand three  
 36289 hundred and sixty-two dollars shall be appropriated and ex-  
 36290 pended for subsisting said Indians, discriminating in favor of  
 36291 the destitute; all of which amounts, excepting the seventy  
 36292 thousand dollars to remain in the Treasury as a permanent  
 36293 fund, shall be paid upon the ratification of said treaty, and dis-  
 36294 bursed in such manner as the Secretary of the Interior may  
 36295 direct. The balance, fifty thousand dollars, or so much thereof  
 36296 as may be necessary to pay the losses ascertained and awarded  
 36297 as hereinafter provided, shall be paid when said awards shall  
 36298 have been duly made and approved by the Secretary of the Inte-  
 36299 rior. And in case said fifty thousand dollars shall be insuffi-  
 36300 cient to pay all said awards, it shall be distributed *pro rata*  
 36301 to those whose claims are so allowed; and until said awards  
 36302 shall be thus paid, the United States agree to pay to said In-  
 36303 dians, in such manner and for such purposes as the Secretary  
 36304 of the Interior may direct, interest at the rate of five per cent.  
 36305 per annum from the date of the ratification of this treaty.

36306 ARTICLE 4. To reimburse such members of the Seminole  
 36307 Nation as shall be duly adjudged to have remained loyal and  
 36308 faithful to their treaty relations to the United States during  
 36309 the recent rebellion of the so-called Confederate States for  
 36310 the losses actually sustained by them thereby, after the ratifi-  
 36311 cation of this treaty, or so soon thereafter as the Secretary of the  
 36312 Interior shall direct, he shall appoint a board of commissioners,

36313 not to exceed three in number, who shall proceed to the Semi-  
 36314 nole country and investigate and determine said losses. Pre-  
 36315 vious to said investigation the agent of the Seminole Nation  
 36316 shall prepare a census or enumeration of said tribe, and make a  
 36317 roll of all Seminoles who did in no manner aid or abet the  
 36318 enemies of the Government, but remained loyal during said  
 36319 rebellion; and no award shall be made by said commis-  
 36320 sioners for such losses unless the name of the claimant ap-  
 36321 pear on said roll, and no compensation shall be allowed any  
 36322 person for such losses whose name does not appear on said  
 36323 roll, unless said claimant, within six months from the date  
 36324 of the completion of said roll, furnishes proof satisfactory  
 36325 to said board, or to the Commissioner of Indian Affairs,  
 36326 that he has at all times remained loyal to the United  
 36327 States, according to his treaty obligations. All evidence  
 36328 touching said claims shall be taken by said commissioners,  
 36329 or any of them, under oath, and their awards made, together  
 36330 with the evidence, shall be transmitted to the Commissioner of  
 36331 Indian Affairs, for his approval and that of the Secretary of the  
 36332 Interior. Said commissioners shall be paid by the United States  
 36333 such compensation as the Secretary of the Interior may direct.  
 36334 The provisions of this article shall extend to and embrace the  
 36335 claims for losses sustained by loyal members of said tribe, irre-  
 36336 spective of race or color, whether at the time of said losses the  
 36337 claimants shall have been in servitude or not; provided said  
 36338 claimants are made members of said tribe by the stipulations of  
 36339 this treaty.

36340       ARTICLE 5. The Seminole Nation hereby grant a right of  
 36341 way through their lands to any company which shall be duly  
 36342 authorized by Congress, and shall, with the express consent and  
 36343 approbation of the Secretary of the Interior, undertake to con-  
 36344 struct a railroad from any point on their eastern to their western  
 36345 or southern boundary; but said railroad company, together with  
 36346 all its agents and employés, shall be subject to the laws of the  
 36347 United States relating to the intercourse with Indian tribes, and  
 36348 also to such rules and regulations as may be prescribed by the  
 36349 Secretary of the Interior for that purpose. And the Seminoles  
 36350 agree to sell to the United States, or any company duly author-  
 36351 ized as aforesaid, such lands, not legally owned or occupied by a  
 36352 member or members of the Seminole Nation, lying along the line  
 36353 of said contemplated railroad, not exceeding on each side thereof  
 36354 a belt or strip of land three miles in width, at such price per acre  
 36355 as may be eventually agreed upon between said Seminole Nation  
 36356 and the party or parties building said road, subject to the ap-  
 36357 proval of the President of the United States: *Provided, however,*  
 36358 That said land thus sold shall not be reconveyed, leased, or

rented to, or be occupied by, any one not a citizen of the Seminole Nation, according to its laws and recognized usages: *Provided also*, That officers, servants, and employés of said railroad necessary to its construction and management shall not be excluded from such necessary occupancy, they being subject to the provisions of the Indian-intercourse laws, and such rules and regulations as may be established by the Secretary of the Interior; nor shall any conveyance of said lands be made to the party building and managing said road, until its completion as a first-class railroad and its acceptance as such by the Secretary of the Interior.

ARTICLE 6. Inasmuch as there are no agency buildings upon the new Seminole reservation, it is therefore further agreed that the United States shall cause to be constructed, at an expense not exceeding ten thousand (10,000) dollars, suitable agency buildings, the site whereof shall be selected by the agent of said tribe, under the direction of the superintendent of Indian affairs; in consideration whereof, the Seminole Nation hereby relinquish and cede forever to the United States one section of their lands upon which said agency buildings shall be *directed*, [erected,] which land shall revert to said nation, when no longer used by the United States, upon said nation paying a fair value for said buildings at the time vacated.

ARTICLE 7. The Seminole Nation agrees to such legislation as Congress and the President may deem necessary for the better administration of the rights of person and property within the Indian Territory: *Provided, however*, [That] said legislation shall not in any manner interfere with or annul their present tribal organization, rights, laws, privileges, and customs.

The Seminole Nation also agree that a general council, consisting of delegates elected by each nation, a tribe lawfully resident within the Indian Territory, may be annually convened in said Territory, which council shall be organized in such manner and possess such powers as are hereinafter described:

1st. After the ratification of this treaty, and as soon as may be deemed practicable by the Secretary of the Interior, and prior to the first session of said council, a census or enumeration of each tribe lawfully resident in said Territory shall be taken, under the direction of the superintendent of Indian affairs, who, for that purpose, is hereby authorized to designate and appoint competent persons, whose compensation shall be fixed by the Secretary of the Interior and paid by the United States.

2d. The first general council shall consist of one member from each tribe, and an additional member for each one thousand Indians, or each fraction of a thousand greater than five hundred, being members of any tribe lawfully resident in said Territory,

36405 and shall be elected by said tribes, respectively, who may assent  
 36406 to the establishment of said general council; and if none should  
 36407 be thus formally selected by any nation or tribe, the said nation  
 36408 or tribe shall be represented in said general council by the chiefs  
 36409 and head-men of said tribes, to be taken in the order of their  
 36410 rank, in the same number and proportion as above indicated.  
 36411 After the said census shall have been taken and completed, the  
 36412 superintendent of Indian affairs shall publish and declare to  
 36413 each tribe the number of members of said council to which they  
 36414 shall be entitled under the provisions of this article; and the  
 36415 persons so entitled to represent said tribe shall meet at such  
 36416 time and place as he shall appoint, but thereafter the time and  
 36417 place of the sessions of said council shall be determined by its  
 36418 action: *Provided*, That no session in any one year shall exceed  
 36419 the term of thirty days: *And provided*, That special sessions of  
 36420 said council may be called by said superintendent whenever, in  
 36421 his judgment, or that of the Secretary of the Interior, the in-  
 36422 terest of said tribes shall require.

36423 3d. Said general council shall have power to legislate upon  
 36424 all rightful subjects and matters pertaining to the intercourse  
 36425 and relations of the Indian tribes and nations resident in said  
 36426 Territory; the arrest and extradition of criminals and offenders  
 36427 escaping from one tribe to another; the administration of jus-  
 36428 tice between members of the several tribes of said Territory,  
 36429 and persons other than Indians and members of said tribes or  
 36430 nations; the construction of works of internal improvement, and  
 36431 the common defence and safety of the nation of said Territory.  
 36432 All laws enacted by said council shall take effect at such time  
 36433 as may therein be provided, unless suspended by direction of  
 36434 the Secretary of the Interior or the President of the United  
 36435 States. No law shall be enacted inconsistent with the Constitu-  
 36436 tion of the United States, or the laws of Congress, or existing  
 36437 treaty stipulations with the United States, nor shall said coun-  
 36438 cil legislate upon matters pertaining to the organization, laws,  
 36439 or customs of the several tribes, except as herein provided for.

36440 4th. Said council shall be presided over by the superintend-  
 36441 ent of Indian affairs, or, in case of his absence for any cause,  
 36442 the duties of said superintendent enumerated in this article  
 36443 shall be performed by such person as the Secretary of the In-  
 36444 terior may direct.

36445 5th. The Secretary of the Interior shall appoint a secretary  
 36446 of said council, whose duty it shall be to keep an accurate record  
 36447 of all the proceedings of said council, and who shall transmit a  
 36448 true copy of all such proceedings, duly certified by the superin-  
 36449 tendent of Indian affairs, to the Secretary of the Interior im-  
 36450 mediately after the session of said council. He shall be paid out

36451 of the Treasury of the United States an annual salary of five  
36452 hundred dollars.

36453 6th. The members of said council shall be paid by the  
36454 United States the sum of four dollars per diem during the time  
36455 actually in attendance upon the sessions of said council, and at  
36456 the rate of four dollars for every twenty miles necessarily  
36457 travelled by them in going to said council and returning to their  
36458 homes, respectively, to be certified by the secretary of the said  
36459 council and the sup[erintenden]t of Indian affairs.

36460 7th. The Seminoles also agree that a court or courts may be  
36461 established in said Territory, with such jurisdiction and organized  
36462 in such manner as Congress may by law provide.

36463 ARTICLE 8. The stipulations of this treaty are to be a full  
36464 settlement of all claims of said Seminole Nation for damages  
36465 and losses of every kind growing out of the late rebellion, and  
36466 all expenditures by the United States of annuities in clothing  
36467 and feeding refugee and destitute Indians since the diversion of  
36468 annuities for that purpose, consequent upon the late war with  
36469 the so-called Confederate States; and the Seminoles hereby rat-  
36470 ify and confirm all such diversions of annuities heretofore made  
36471 from the funds of the Seminole Nation by the United States.  
36472 And the United States agree that no annuities shall be diverted  
36473 from the object for which they were originally devoted by treaty  
36474 stipulations with the Seminoles, to the use of refugee and desti-  
36475 tute Indians, other than the Seminoles or members of the Semi-  
36476 nole Nation, after the close of the present fiscal year, June thir-  
36477 tieth, eighteen hundred and sixty-six.

36478 ARTICLE 9. The United States re-affirms and reassumes all  
36479 obligations of treaty stipulations entered into before the treaty  
36480 of said Seminole Nation with the so-called Confederate States.  
36481 August first, eighteen hundred and sixty-one, not inconsistent  
36482 herewith; and further agree to renew all payments of annuities  
36483 accruing by force of said treaty stipulations from and after the  
36484 close of the present fiscal year, June thirtieth, in the year of  
36485 our Lord one thousand eight hundred and sixty-six, except as is  
36486 provided in article eight, (viii.)

36487 ARTICLE 10. A quantity of land not exceeding six hundred  
36488 and forty acres, to be selected according to legal subdivisions,  
36489 in one body, and which shall include their improvements, is  
36490 hereby granted to every religious society or denomination which  
36491 has erected, or which, with the consent of the Indians, may  
36492 hereafter erect, buildings within the Seminole country for mis-  
36493 sionary or educational purposes; but no land thus granted, nor  
36494 the buildings which have been or may be erected thereon, shall  
36495 ever be sold or otherwise disposed of except with the consent  
36496 and approval of the Secretary of the Interior. And whenever  
36497 any such land or buildings shall be so sold or disposed of, the

36498 proceeds thereof shall be applied, under the direction of the  
 36499 Secretary of the Interior, to the support and maintenance o  
 36500 other similar establishments for the benefit of the Seminoles  
 36501 and such other persons as may be, or may hereafter become,  
 36502 members of the tribe according to its laws, customs, and usages.

36503 ARTICLE 11. It is further agreed that all treaties heretofore  
 36504 entered into between the United States and the Seminole Nation,  
 36505 which are inconsistent with any of the articles or provisions of  
 36506 this treaty, shall be, and are hereby, rescinded and annulled.

36507 Proclaimed August 16, 1866.

36508

# SENECAS.

36509 *Contract entered into, under the sanction of the United States of*  
 36510 *America, between Robert Morris and the Seneka Nation of*  
 36511 *Indians.*

36512 This indenture, made the fifteenth day of September, in the  
 36513 year of our Lord one thousand seven hundred and ninety-seven,  
 36514 between the sachems, chiefs, and warriors of the Seneka Nation  
 36515 of Indians, of the first part, and Robert Morris, of the city of  
 36516 Philadelphia, esquire, of the second part:

36517 Whereas the Commonwealth of Massachusetts have granted,  
 36518 bargained, and sold unto the said Robert Morris, his heirs and  
 36519 assigns, forever, the pre-emptive right, and all other the right,  
 36520 title, and interest, which the said Commonwealth had to all that  
 36521 tract of land hereinafter particularly mentioned, being part of a  
 36522 tract of land lying within the State of New York, the right of  
 36523 pre-emption of the soil whereof, from the native Indians, was  
 36524 ceded and granted by the said State of New York to the said  
 36525 Commonwealth; and

36526 Whereas at a treaty held under the authority of the United  
 36527 States, with the said Seneka Nation of Indians, at Genesee, in  
 36528 the county of Ontario, and State of New York, on the day of  
 36529 the date of these presents, and on sundry days immediately prior  
 36530 thereto, by the honorable Jeremiah Wadsworth, esquire, a com-  
 36531 missioner appointed by the President of the United States to  
 26532 hold the same, in pursuance of the Constitution and of the act  
 36533 of the Congress of the United States in such case made and pro-  
 36534 vided, it was agreed, in the presence and with the approbation  
 36535 of the said commissioner, by the sachems, chiefs, and warriors  
 36536 of the said nation of Indians, for themselves and in behalf of their  
 36537 nation, to sell to the said Robert Morris, and to his heirs and  
 36538 assigns, forever, all their right to all that tract of land above  
 36539 recited, and hereinafter particularly specified, for the sum of one  
 36540 hundred thousand dollars, to be by the said Robert Morris vested

36541 in the stock of the Bank of the United States, and held in the  
 36542 name of the President of the United States, for the use and be-  
 36543 hoof of the said nation of Indians, the said agreement and sale  
 36544 being also made in the presence, and with the approbation, of  
 36545 the honorable William Shepard, esquire, the superintendent ap-  
 36546 pointed for such purpose, in pursuance of a resolve of the gen-  
 36547 eral court of the Commonwealth of Massachusetts, passed the  
 36548 eleventh day of March, in the year of our Lord one thousand  
 36549 seven hundred and ninety-one:

36550 Now this indenture witnesseth, That the said parties of  
 36551 the first part, for and in consideration of the premises above  
 36552 recited, and for divers other good and valuable considera-  
 36553 tions them thereunto moving, have granted, bargained, sold,  
 36554 aliened, released, enfeoffed, and confirmed; and by these  
 36555 presents do grant, bargain, sell, alien, release, enfeoff, and  
 36556 confirm unto the said party of the second part, his heirs and  
 36557 assigns, forever, all that certain tract of land, except as is herein-  
 36558 after excepted, lying within the county of Ontario, and State of  
 36559 New York, being part of a tract of land the right of pre-emp-  
 36560 tion whereof was ceded by the State of New York to the Com-  
 36561 monwealth of Massachusetts, by deed of cession executed at  
 36562 Hartford, on the sixteenth day of December, in the year of our  
 36563 Lord one thousand seven hundred and eighty-six, being all such  
 36564 part thereof as is not included in the Indian purchase made by  
 36565 Oliver Phelps and Nathaniel Gorham, and bounded as follows,  
 36566 to wit: easterly, by the land confirmed to Oliver Phelps and  
 36567 Nathaniel Gorham by the legislature of the Commonwealth of  
 36568 Massachusetts, by an act passed the twenty-first day of Novem-  
 36569 ber, in the year of our Lord one thousand seven hundred and  
 36570 eighty-eight; southerly, by the north boundary-line of the State  
 36571 of Pennsylvania; westerly, partly by a tract of land, part of  
 36572 the land ceded by the State of Massachusetts to the United  
 36573 States, and by them sold to Pennsylvania, being a right-angled  
 36574 triangle, whose hypotenuse is in or along the shore of Lake  
 36575 Erie; partly by Lake Erie, from the northern point of that tri-  
 36576 angle to the southern bounds of a tract of land one mile in  
 36577 width, lying on and along the east side of the Strait of Niagara,  
 36578 and partly by the said tract to Lake Ontario; and on the north  
 36579 by the boundary-line between the United States and the King  
 36580 of Great Britain; excepting, nevertheless, and always reserving  
 36581 out of this grant and conveyance, all such pieces or parcels of  
 36582 the aforesaid tract, and such privileges thereunto belonging, as  
 36583 are next hereinafter particularly mentioned, which said pieces  
 36584 or parcels of land so excepted are, by the parties to these pres-  
 36585 ents, clearly and fully understood to remain the property of the  
 36586 said parties of the first part, in as full and ample manner as if

36587 these presents had not been executed ; that is to say, excepting  
 36588 and reserving to them, the said parties of the first part, and  
 36589 their nation, one piece or parcel of the aforesaid tract, at Cana-  
 36590 wagus, of two square miles, to be laid out in such manner as to  
 36591 include the village, extending in breadth one mile along the  
 36592 river ; one other piece or parcel at Big Tree, of two square  
 36593 miles, to be laid out in such manner as to include the village,  
 36594 extending in breadth along the river one mile ; one other piece  
 36595 or parcel of two square miles at Little Beard's town, extending  
 36596 one mile along the river, to be laid off in such manner as to in-  
 36597 clude the village ; one other tract of two square miles, at  
 36598 Squawky Hill, to be laid off as follows, to wit : one square mile  
 36599 to be laid off along the river, in such manner as to include the  
 36600 village, the other directly west thereof and contiguous thereto ;  
 36601 one other piece or parcel at Gardeau, beginning at the mouth of  
 36602 Steep-Hill Creek, thence due east until it strikes the old path, thence  
 36603 south until a due west line will intersect with certain steep rocks  
 36604 on the west side of Genesee River, then extending due west, due  
 36605 north, and due east, until it strikes the first-mentioned bound,  
 36606 enclosing as much land on the west side as on the east side of the  
 36607 river. One other piece or parcel at Kaounadeau, extending in  
 36608 length eight miles along the river and two miles in breadth. One  
 36609 other piece or parcel at Cataraugos, beginning at the mouth of the  
 36610 Eighteen-Mile or Koghquangu Creek, thence a line or lines to be  
 36611 drawn parallel to Lake Erie at the distance of one mile from the lake  
 36612 to the mouth of Cataraugos Creek, thence a line or lines extend-  
 36613 ing twelve miles up the north side of said creek at the distance  
 36614 of one mile therefrom ; thence a direct line to the said creek ;  
 36615 thence down the said creek to Lake Erie ; thence along the lake  
 36616 to the first-mentioned creek, and thence to the place of begin-  
 36617 ning. Also one other piece at Cataraugos, beginning at the  
 36618 shore of Lake Erie on the south side of Cataraugos Creek, at the  
 36619 distance of one mile from the mouth thereof ; thence running  
 36620 one mile from the lake ; thence on a line parallel thereto to a  
 36621 point within one mile from the Conondauweya Creek ; thence  
 36622 up the said creek one mile on a line parallel thereto ; thence on  
 36623 a direct line to the said creek ; thence down the same to Lake  
 36624 Erie ; thence along the lake to the place of beginning. Also  
 36625 one other piece or parcel of forty-two square miles at or near the  
 36626 Allegenny River. Also, two hundred square miles to be laid off  
 36627 partly at the Buffalo and partly at the Tannawanta Creeks.  
 36628 Also, excepting and reserving to them, the said parties of the  
 36629 first part, and their heirs, the privilege of fishing and hunting  
 36630 on the said tract of land hereby intended to be conveyed. And  
 36631 it is hereby understood by and between the parties to these  
 36632 presents that all such pieces or parcels of land as are hereby

36633 reserved, and are not particularly described as to the manner in  
 36634 which the same are to be laid off, shall be laid off in such man-  
 36635 ner as shall be determined by the sachems and chiefs residing  
 36636 at or near the respective villages where such reservations are  
 36637 made, a particular note whereof to be endorsed on the back of  
 36638 this deed and recorded therewith, together with all and singular  
 36639 the rights, privileges, hereditaments, and appurtenances there-  
 36640 unto belonging or in anywise appertaining. And all the estate,  
 36641 right, title, and interest, whatsoever, of them, the said parties  
 36642 of the first part, and their nation, of, in, and to the said tract of  
 36643 land above described, except as is above excepted, to have and  
 36644 to hold all and singular the said granted premises, with the ap-  
 36645 purtenances, to the said party of the second part, his heirs, and  
 36646 assigns, to his and their proper use, benefit, and behoof forever.  
 36647 Concluded September 15, 1797.

36648 *This indenture, made the thirtieth day of June, in the year of our*  
 36649 *Lord one thousand eight hundred and two, between the sachems'*  
 36650 *chiefs, and warriors of the Seneca Nation of Indians, of the*  
 36651 *first part, and Wilhem Willink, Pieter Van Eeghen, Hendrik*  
 36652 *Vollenhoven, W. Willink, the younger ; I. Willink, the younger,*  
 36653 *(son of Jan ;) Jan Gabriel Van Staphorst, Roelof Van Staphorst,*  
 36654 *the younger ; Cornelis Vollenhoven, and Hendrik Seye, all of*  
 36655 *the city of Amsterdam and republic of Batavia, by Joseph Elli-*  
 36656 *cott, esquire, their agent and attorney, of the second part.*

36657 Whereas at a treaty held under the authority of the United  
 36658 States with the said Seneca Nation of Indians, at Buffalo Creek,  
 36659 in the county of Ontario, and State of New York, on the day of  
 36660 the date of these presents, by the honorable John Taylor, esquire,  
 36661 a commissioner appointed by the President of the United States  
 36662 to hold the same, in pursuance of the Constitution and of the  
 36663 act of the Congress of the United States in such case made and  
 36664 provided, a convention was entered into, in the presence and  
 36665 with the approbation of the said commissioner, between the said  
 36666 Seneca Nation of Indians and the said Wilhem Willink, Pieter  
 36667 Van Eeghen, Hendrik Vollenhoven, W. Willink, the younger ;  
 36668 I. Willink, the younger, (son of Jan ;) Jan Gabriel Van Sta-  
 36669 phorst, Roelof Van Staphorst, the younger ; Cornelis Vollen-  
 36670 hoven, and Hendrik Seye, by the said Joseph Ellicott, their  
 36671 agent and attorney, lawfully constituted and appointed for that  
 36672 purpose :

36673 Now this indenture witnesseth that the said parties of the  
 36674 first part, for and in consideration of the lands hereinafter de-  
 36675 scribed, do hereby exchange, cede, and forever quit-claim, to the

36676 said parties of the second part, their heirs and assigns, all those  
 36677 lands situate, lying and being in the county of Ontario and  
 36678 State of New York, being part of the lands described and re-  
 36679 served by the said parties of the first part, in a treaty or con-  
 36680 vention held by the honorable Jeremiah Wadsworth, esquire,  
 36681 under the authority of the United States, on the Genesee River,  
 36682 the 15th day of September, one thousand seven hundred and  
 36683 ninety-seven, in words following, viz :

36684       “Beginning at the mouth of the Eighteen-Mile or Kogh-  
 36685 quaw-gu Creek, thence a line or lines to be drawn parallel to  
 36686 Lake Erie, at the distance of one mile from the lake, to the  
 36687 mouth of Cataraugos Creek ; thence a line or lines extending  
 36688 twelve miles up the north side of said creek, at the distance of one  
 36689 mile therefrom ; thence a direct line to the said creek ; thence down  
 36690 the said creek to Lake Erie ; thence along the lake to the first-  
 36691 mentioned creek, and thence to the place of beginning. Also,  
 36692 one other piece, at Cataraugos, beginning at the shore of Lake  
 36693 Erie, on the south side of Cataraugos Creek, at the distance of  
 36694 one mile from the mouth thereof ; thence running one mile from  
 36695 the lake ; thence on a line parallel thereto to a point within one  
 36696 mile from the Con-non-dau-we-gea Creek ; thence up the said  
 36697 creek one mile on a line parallel thereto ; thence on a direct line  
 36698 to the said creek ; thence down the same to Lake Erie ; thence  
 36699 along the lake to the place of beginning ;” reference being there-  
 36700 unto had will fully appear. Together with all and singular the  
 36701 rights, privileges, hereditaments, and appurtenances thereunto  
 36702 belonging or in any wise appertaining ; and all the estate, right,  
 36703 title, and interest whatsoever of them, the said parties of the  
 36704 first part, and their nation, of, in, and to the said tracts of land  
 36705 above described, to have and to hold all and singular the said  
 36706 granted premises, with the appurtenances, to the said parties of  
 36707 the second part, their heirs and assigns, to their only proper  
 36708 use, benefit, and behoof forever.

36709       And in consideration of the said lands described and ceded  
 36710 as aforesaid, the said parties of the second part, by Joseph Elli-  
 36711 cott, their agent and attorney as aforesaid, do hereby exchange,  
 36712 cede, release, and quit-claim to the said parties of the first part,  
 36713 and their nation, (the said parties of the second part reserving  
 36714 to themselves the right of pre-emption,) all that certain tract or  
 36715 parcel of land situate as aforesaid. Beginning at a post marked  
 36716 No. 0, standing on the bank of Lake Erie, at the mouth of  
 36717 Cataraugos Creek, and on the north bank thereof ; thence along  
 36718 the shore of said lake N. 11° E. 21 chains ; N. thirteen degrees  
 36719 east 45 chains ; N. 19° E. 14 chains 65 links to a post ; thence  
 36720 east 119 chains to a post ; thence south 14 chains 27 links to a  
 36721 post ; thence east 640 chains to a post standing in the meridian

36722 between the 8th and 9th ranges; thence along said meridian  
 36723 south 617 chains 75 links, to a post standing on the south bank  
 36724 of Cataraugus Creek; thence west 160 chains to a post; thence  
 36725 north 290 chains 25 links to a post; thence west 482 chains 31  
 36726 links to a post; thence north 219 chains 50 links to a post  
 36727 standing on the north bank of Cataraugus Creek; thence down  
 36728 the same and along the several meanders thereof to the place of  
 36729 beginning. To hold to the said parties of the first part in the  
 36730 same manner and by the same tenure as the lands reserved by  
 36731 the said parties of the first part in and by the said treaty or  
 36732 convention entered into, on Genesee River, the 15th day of Sep-  
 36733 tember, one thousand seven hundred and ninety-seven, as afore-  
 36734 said, were intended to be held.

36735 Proclaimed January 12, 1803.

36736 *At a treaty held under the authority of the United States at Buffalo*  
 36737 *Creek, in the county of Ontario, and State of New York, be-*  
 36738 *tween the sachems, chiefs, and warriors of the Seneca Nation*  
 36739 *of Indians, on behalf of said nation, and Oliver Phelps, esq.,*  
 36740 *of the county of Ontario, Isaac Bronson, esq., of the city of*  
 36741 *New York, and Horatio Jones, of the said county of Ontario,*  
 36742 *in the presence of John Tayler, esq., commissioner appointed*  
 36743 *by the President of the United States for holding said treaty.*

36744 Know all men by these presents that the said sachems,  
 36745 chiefs, and warriors, for and in consideration of the sum of  
 36746 twelve hundred dollars, lawful money of the United States, unto  
 36747 them in hand paid by the said Oliver Phelps, Isaac Bronson,  
 36748 and Horatio Jones, at or immediately before the sealing and de-  
 36749 livery hereof, the receipt whereof is hereby acknowledged, have  
 36750 and by these presents do grant, remise, release, and forever  
 36751 quit-claim and confirm unto the said Oliver Phelps, Isaac Bron-  
 36752 son, and Horatio Jones, and to their heirs and assigns, all that  
 36753 tract of land commonly called and known by the name of Little  
 36754 Beard's reservation, situate, lying, and being in the said county  
 36755 of Ontario, bounded on the east by the Genesee River and  
 36756 Little Beard's Creek, on the south and west by other lands of  
 36757 the said parties of the second part, and on the north by Big  
 36758 Tree reservation, containing two square miles, or twelve hun-  
 36759 dred and eighty acres, together with all and singular the here-  
 36760 ditaments and appurtenances whatsoever thereunto belonging,  
 36761 or in anywise appertaining, to hold to them, the said Oliver  
 36762 Phelps, Isaac Bronson, and Horatio Jones, their heirs and as-  
 36763 signs, to the only proper use and behoof of them, the said Oliver  
 36764 Phelps, Isaac Bronson, and Horatio Jones, their heirs and as-  
 36765 signs forever.

36766 Proclaimed February 7, 1803.

36767 *Articles of a treaty made and concluded at Buffalo Creek, in the*  
 36768 *State of New York, on the twentieth day of May, in the year*  
 36769 *one thousand eight hundred and forty-two, between the United*  
 36770 *States of America, acting herein by Ambrose Spencer, their com-*  
 36771 *missioner, thereto duly authorized, on the one part, and the*  
 36772 *chiefs, head-men, and warriors of the Seneca Nation of Indians,*  
 36773 *duly assembled in council, on the other part.*

36774       Whereas a treaty was heretofore concluded and made be-  
 36775 tween the said United States and the chiefs, head-men, and war-  
 36776 riors of the several tribes of New York Indians, dated the fif-  
 36777 teenth day of January, in the year one thousand eight hundred  
 36778 and thirty-eight, which treaty having been afterwards amended,  
 36779 was proclaimed by the President of the United States on the  
 36780 fourth of April, one thousand eight hundred and forty, to have  
 36781 been duly ratified; and, (see page 548,)

36782       Whereas on the day of making this treaty, and bearing  
 36783 even date herewith, a certain indenture was made, executed, and  
 36784 concluded by and between the said Seneca Nation of Indians and  
 36785 Thomas L. Ogden and Joseph Fellows, assignees under the State  
 36786 of Massachusetts, in the presence and with the approbation of  
 36787 a commissioner appointed by the United States, and in the pres-  
 36788 ence and with the approbation of Samuel Hoare, a superintend-  
 36789 ent on the part of the Commonwealth of Massachusetts, which  
 36790 indenture is in the words and figures following, to wit:

36791       “This indenture, made and concluded between Thomas  
 36792 Ludlow Ogden, of the city of New York, and Joseph Fellows, of  
 36793 Geneva, in the county of Ontario, of the one part, and the chiefs  
 36794 and head-men of the Seneca Nation of Indians on the other part,  
 36795 at a council duly assembled and held at Buffalo Creek, in the  
 36796 State of New York, on the twentieth day of May, in the year one  
 36797 thousand eight hundred and forty-two, in the presence of Samuel  
 36798 Hoare, the superintendent thereto authorized and appointed by  
 36799 and on the part of the Commonwealth of Massachusetts, and of  
 36800 Ambrose Spencer, a commissioner thereto duly appointed and  
 36801 authorized on the part of the United States.

36802       “Whereas at a council held at Buffalo Creek on the fifteenth  
 36803 day of January, in the year one thousand eight hundred and  
 36804 thirty-eight, an indenture of that date was made and executed  
 36805 by and between the parties to this agreement, whereby the chiefs  
 36806 and head-men of the Seneca Nation of Indians, for the consider-  
 36807 ation of two hundred and two thousand dollars, did grant, bar-  
 36808 gain, release, and confirm unto the said Thomas Ludlow Ogden  
 36809 and Joseph Fellows all those four several tracts of land situate  
 36810 within the State of New York, then and yet occupied by the said  
 36811 nation, or the people thereof, severally described in the said in-  
 36812 denture as the Buffalo Creek reservation, containing by estima-

36813 tion forty-nine thousand nine hundred and twenty acres of land ;  
 36814 the Cattaraugus reservation, containing by estimation twenty-  
 36815 one thousand six hundred and eighty acres of land ; the Allegany  
 36816 reservation, containing by estimation thirty thousand four hun-  
 36817 dred and sixty-nine acres of land ; and the Tonnewanda reserva-  
 36818 tion, containing by estimation twelve thousand eight hundred  
 36819 acres of land ; a duplicate of which indenture was annexed to a  
 36820 treaty of the same date made between the United States of  
 36821 America and the chiefs, head-men, and warriors of the several  
 36822 tribes of New York Indians assembled in council, which treaty  
 36823 was amended and proclaimed by the President of the United  
 36824 States on the fourth of April, one thousand eight hundred and  
 36825 forty, as having been duly ratified, as by the said indenture,  
 36826 treaty, and proclamation more fully appear ; and

36827       “Whereas divers questions and differences having arisen  
 36828 between the chiefs and head-men of the Seneca Nation of  
 36829 Indians, or some of them, and the said Thomas Ludlow Ogden  
 36830 and Joseph Fellows in relation to the said indenture, and the  
 36831 rights of the parties thereto, and the provisions contained in the  
 36832 said indenture being still unexecuted, the said parties have mu-  
 36833 tually agreed to settle, compromise, and finally terminate all  
 36834 such questions and differences on the terms and conditions here-  
 36835 inafter specified :

36836       “Now, therefore, it is hereby mutually declared and agreed  
 36837 by and between the said parties as follows :

36838       “ARTICLE 1. The said Thomas Ludlow Ogden and Joseph  
 36839 Fellows, in consideration of the release and agreements herein-  
 36840 after contained, on the part of the said Seneca Nation, do on  
 36841 their part consent, covenant, and agree that they, the said nation,  
 36842 (the said indenture notwithstanding,) shall and may continue in  
 36843 the occupation and enjoyment of the whole of the said two sev-  
 36844 eral tracts of land called the Cattaraugus reservation and the  
 36845 Allegany reservation, with the same right and title in all things  
 36846 as they had and possessed therein immediately before the date  
 36847 of the said indenture, saving and reserving to the said Thomas  
 36848 Ludlow Ogden and Joseph Fellows the right of pre-emption, and  
 36849 all other the right and title which they then had or held in or  
 36850 to the said tracts of land.

36851       “ARTICLE 2. The chiefs and head-men of the Seneca Na-  
 36852 tion of Indians, in consideration of the foregoing, and of the  
 36853 agreement next hereinafter contained, do on their part grant,  
 36854 release, and confirm unto the said Thomas Ludlow Ogden and  
 36855 Joseph Fellows, and to their heirs and assigns, in joint tenancy,  
 36856 the whole of the said two tracts of land severally called the  
 36857 Buffalo Creek reservation and the Tonnewanda reservation,  
 36858 and all the right and interest therein of the said nation.

36859 "ARTICLE 3. It is mutually agreed between the parties  
 36860 hereto, that in lieu of the sum expressed in the said indenture, as  
 36861 the consideration of the sale and release of the said four tracts  
 36862 of land, there shall be paid to the said nation a just considera-  
 36863 tion sum for the release of the two tracts hereby confirmed to  
 35864 the said Ogden and Fellows, to be estimated and ascertained as  
 36865 follows.

36866 "The present value of the Indian title to the whole of the  
 36867 said four tracts of land, including the improvements thereon,  
 36868 shall for all the purposes of this present compact be deemed and  
 36869 taken to be two hundred and two thousand dollars, of which  
 36870 sum one hundred thousand dollars shall be deemed to be the  
 36871 value of such title in and to all the lands within the said four  
 36872 tracts, exclusive of the improvements thereon, and one hundred  
 36873 and two thousand dollars to be the value of all the improvements  
 36874 within the said four tracts; and of the said sum of one hundred  
 36875 thousand dollars, the said Ogden and Fellows shall pay to the  
 36876 Seneca Nation such proportion as the value of all the lands  
 36877 within the said two tracts; called the Buffalo Creek and Tonne-  
 36878 wanda reservations, shall bear to the value of all the lands  
 36879 within all the said four tracts; and of the said sum of one hun-  
 36880 dred and two thousand dollars, the said Ogden and Fellows  
 36881 shall pay such proportion as the value of the improvements on  
 36882 the same two tracts shall bear to the value of the improvements  
 36883 on all the said four tracts.

36884 "ARTICLE 4. The amount of the consideration monies to be  
 36885 paid in pursuance of the last preceding article shall be deter-  
 36886 mined by the judgment and award of arbitrators, one of whom  
 36887 shall be named by the Secretary of the War Department of the  
 36888 United States, and one by the said Ogden and Fellows; which  
 36889 arbitrators, in order to such judgment and award, and to the  
 36890 performance of the other duties hereby imposed on them, may  
 36891 employ suitable surveyors to explore, examine, and report on  
 36892 the value of the said lands and improvements, and also to ascer-  
 36893 tain the contents of each of the said four tracts, which contents  
 36894 shall govern the arbitrators as to quantity in determining the  
 36895 amount of the said consideration money.

36896 "The same arbitrators shall also award and determine the  
 36897 amount to be paid to each individual Indian out of the sum  
 36898 which, on the principles above stated, they shall ascertain and  
 36899 award to be the proportionate value of the improvements on the  
 36900 said two tracts called Buffalo Creek reservation and the Tonne-  
 36901 wanda reservation; and in case the said arbitrators shall dis-  
 36902 agree as to any of the matters hereby submitted to them, they  
 36903 may choose an umpire, whose decision thereon shall be final and  
 36904 conclusive; and the said arbitrators shall make a report in

36905 writing of their proceedings in duplicate, such reports to be  
 36906 acknowledged or proved according to the laws of the State of  
 36907 New York, in order to their being recorded, one of such reports  
 36908 to be filed in the office of the Secretary of the Department of  
 36909 War, and the other thereof to be delivered to the said Thomas  
 36910 L. Ogden and Joseph Fellows.

36911 "ARTICLE 5. It is agreed that the possession of the two  
 36912 parts hereby confirmed to the said Ogden and Fellows shall be  
 36913 surrendered and delivered up to them, as follows, viz: The for-  
 36914 est or unimproved lands on the said tracts, within one month  
 36915 after the report of the said arbitrators shall be filed in the office  
 36916 of the Department of War, and the improved lands within two  
 36917 years after the said report shall have been so filed: *Provided*  
 36918 *always*, That the amount to be so ascertained and awarded as  
 36919 the proportionate value of the said improvements, shall, on the  
 36920 surrender thereof, be paid to the President of the United States,  
 36921 to be distributed among the owners of the said improvements  
 36922 according to the determination and award of the said arbitra-  
 36923 tors in this behalf: *And provided further*, That the consideration  
 36924 for the release and conveyance of the said lands shall at the  
 36925 time of the surrender thereof be paid or secured to the satisfac-  
 36926 tion of the said Secretary of the War Department, the income  
 36927 of which is to be paid to the said Seneca Indians annually.

36928 "But any Indian having improvements may surrender the  
 36929 same and the land occupied by him and his family at any time  
 36930 prior to the expiration of the said two years, upon the amount  
 36931 awarded to him for such improvements being paid to the Presi-  
 36932 dent of the United States or any agent designated by him for  
 36933 that purpose by the said Ogden and Fellows, which amount shall  
 36934 be paid over to the Indian entitled to the same, under the direc-  
 36935 tions of the War Department.

36936 "ARTICLE 6. It is hereby agreed and declared to be the  
 36937 understanding and intent of the parties hereto, that such of the  
 36938 said Seneca Nation as shall remove from the State of New York  
 36939 under the provisions of any treaty made or to be made between  
 36940 the United States and the said Indians, shall be entitled in pro-  
 36941 portion to their relative numbers to the funds of the Seneca  
 36942 Nation, and that the interest and income of such their share and  
 36943 proportion of the said funds, including the consideration money  
 36944 to be paid to the said nation in pursuance of this indenture, and  
 36945 of all annuities belonging to the said nation, shall be paid to the  
 36946 said Indians so removing at their new homes; and whenever  
 36947 the said tracts called the Allegheny and the Cattaraugus reserva-  
 36948 tions, or any part thereof, shall be sold and conveyed by the  
 36949 Indians remaining in the State of New York, the Indians so re-  
 36950 moving shall be entitled to share in the proceeds of said sales in

36951 the like proportion. And it is further agreed and declared that  
 36952 such Indians owning improvements in the Cattaraugus and  
 36953 Alleghany tracts as may so remove from the State of New York  
 36954 shall be entitled on such removal, and surrendering their im-  
 36955 provements to the Seneca Nation for the benefit of the nation, to  
 36956 receive the like compensations for the same, according to their  
 36957 relative values, as in the third and fourth articles of this treaty  
 36958 are stipulated to be paid to the owners of improvements in the  
 36959 Buffalo Creek and Tonnewanda tracts on surrendering their im-  
 36960 provements, which compensations may be advanced by the  
 36961 President of the United States out of any funds in the hands of  
 36962 the Government of the United States belonging to the Seneca  
 36963 Nation, and the value of these improvements shall be ascertained  
 36964 and reported by the arbitrators to be appointed in pursuance of  
 36965 the fourth article.

36966 "ARTICLE 7. This indenture is to be deemed to be in lieu  
 36967 of and as a substitute for the above-recited indenture made and  
 36968 dated the fifteenth day of January, one thousand eight hundred  
 36969 and thirty-eight, so far as the provisions of the two instruments  
 36970 may be inconsistent or contradictory, and the said indenture, so  
 36971 far as the same may be inconsistent with the provisions of this  
 36972 compact, is to be regarded and is hereby declared to be rescinded  
 36973 and released.

36974 "ARTICLE 8. All the expenses attending the execution of this  
 36975 indenture and compact, including those of the arbitration and  
 36976 surveys hereinbefore referred to, and also those of holding the  
 36977 treaty now in negotiation between the United States and the  
 36978 said Seneca Nation, except so far as may be provided for by the  
 36979 United States, shall be advanced and paid by the said Ogden  
 36980 and Fellows.

36981 "ARTICLE 9. The parties to this compact mutually agree to  
 36982 solicit the influence of the Government of the United States to  
 36983 protect such of the lands of the Seneca Indians, within the State  
 36984 of New York, as may from time to time remain in their possession  
 36985 from all taxes, and assessments for roads, highways, or any other  
 36986 purpose until such lands shall be sold and conveyed by the said  
 36987 Indians, and the possession thereof shall have been relinquished  
 36988 by them.

36989 "In witness whereof the parties to these presents have here-  
 36990 unto, and to three other instruments of the same tenor and date,  
 36991 one to remain with the United States, one to remain with the  
 36992 State of Massachusetts, one to remain with the Seneca Nation  
 36993 of Indians, and one to remain with the said Thomas Ludlow  
 36994 Ogden and Joseph Fellows, interchangeably set their hands and  
 36995 seals the day and year first above written :"

36996 Therefore, taking into consideration the premises, it is agreed

36997 and stipulated, by and between the United States of America  
36998 and the Seneca Nation of Indians, as follows, to wit:

36999 First. The United States of America consent to the several  
37000 articles and stipulations contained in the last-recited indenture  
37001 between the said nation and the said Thomas Ludlow Ogden  
37002 and Joseph Fellows, above set forth.

37003 Second. The United States further consent and agree that  
37004 any number of the said nation who shall remove from the State  
37005 of New York under the provisions of the above-mentioned  
37006 treaty, proclaimed as aforesaid on the fourth day of April, one  
37007 thousand eight hundred and forty, shall be entitled, in pro-  
37008 portion to their relative numbers, to all the benefits of the said  
37009 treaty.

37010 Third. The United States of America further consent and  
37011 agree that the tenth article of said treaty, proclaimed as aforesaid  
37012 on the fourth day of April, one thousand eight hundred and  
37013 forty, be deemed and considered as modified in conformity with  
37014 the provisions of the indenture hereinabove set forth, so far as  
37015 that the United States will receive and pay the sum stipulated  
37016 to be paid as the consideration money of the improvements  
37017 therein specified, and will receive, hold, and apply the sum to be  
37018 paid, or the securities to be given for the lands therein mentioned,  
37019 as provided for in such indenture.

37020 Proclaimed August 26, 1842.

37021 SENECA, TONNEWANDA BAND.

37022 *Treaty between the United States and the Tonawanda band of Seneca*  
37023 *Indians, concluded at the meeting-house on the Tonawanda*  
37024 *reservation, November 5, 1857; supplementary articles con-*  
37025 *cluded at the same time and place; ratified by the Senate June*  
37026 *4, 1858.*

37027 JAMES BUCHANAN, President of the United States of America,  
37028 to all and singular to whom these presents shall come,  
37029 greeting:

37030 Whereas a treaty was made and concluded at the meeting-  
37031 house on the Tonawanda reservation, in the county of Genesee,  
37032 and State of New York, on the fifth day of November, one  
37033 thousand eight hundred and fifty-seven, by Charles E. Mix, as  
37034 commissioner on behalf of the United States, and the following  
37035 persons, viz: Jabez Ground, Jesse Spring, Isaac Shanks, George  
37036 Sky, and Ely S. Parker, duly authorized thereunto by the Tona-  
37037 wanda band of Seneca Indians, which treaty is in the following  
37038 words, to wit:

37039 Articles of agreement and convention made this fifth day of  
 37040 November, in the year one thousand eight hundred and  
 37041 fifty-seven, at the meeting-house on the Tonawanda reser-  
 37042 vation, in the county of Genesee, and State of New York,  
 37043 between Charles E. Mix, commissioner on behalf of the  
 37044 United States, and the following persons, duly authorized  
 37045 thereto by the Tonawanda band of Seneca Indians, viz :  
 37046 Jabez Ground, Jesse Spring, Isaac Shanks, George Sky,  
 37047 and Ely S. Parker.

37048 Whereas a certain treaty was heretofore made between the  
 37049 Six Nations of New York Indians and the United States on the  
 37050 15th day of January, 1838, (see page 548,) and another between  
 37051 the Seneca Nation of Indians and the United States on the 20th  
 37052 day of May, 1842, (next preceding treaty,) by which, among  
 37053 other things, the Seneca Nation of Indians granted and con-  
 37054 veyed to Thomas Ludlow Ogden and Joseph Fellows the two  
 37055 certain Indian reservations in the State of New York known as  
 37056 the Buffalo Creek and the Tonawanda reservations, to be sur-  
 37057 rendered to the said Ogden and Fellows on the performance of  
 37058 certain conditions-precedent defined in said treaties; and

37059 Whereas in and by the said treaties there were surrendered  
 37060 and relinquished to the United States 500,000 acres of land in  
 37061 the then Territory of Wisconsin; and

37062 Whereas the United States, in and by said treaties, agreed  
 37063 to set apart for said Indians certain lands in the Indian Terri-  
 37064 tory immediately west of the Missouri, and to grant the same  
 37065 to them, to be held and enjoyed in fee-simple, the quantity  
 37066 of said lands being computed to afford 320 acres to each  
 37067 soul of said Indians, and did agree that any individual, or any  
 37068 number of said Indians, might remove to said Territory, and  
 37069 thereupon be entitled to hold and enjoy said lands, and all the  
 37070 benefits of said treaties, according to numbers, respectively;  
 37071 and

37072 Whereas the United States did further agree to pay the sum  
 37073 of \$400,000 for the removal of the Indians of New York to the  
 37074 said Territory, and for their support and assistance during the  
 37075 first year of their residence in said Territory; and

37076 Whereas the said Ogden and Fellows did agree to pay to  
 37077 the said Seneca Nation of Indians, as the consideration of the  
 37078 surrender and relinquishment of the said two reservations known  
 37079 as the Buffalo Creek and Tonawanda reservations, certain sums  
 37080 of money, one part of which was to be paid to the individual  
 37081 Indians residing upon said reservations, for the improvements  
 37082 held and owned by them in severalty, the amount of which  
 37083 "improvement money" heretofore apportioned to those residing  
 37084 upon the Tonawanda reservation being \$15,018 $\frac{36}{100}$ , which

37085 money has been paid into and still remains in the Treasury of  
 37086 the United States; and

37087 Whereas, for divers reasons and differences, the said treaties  
 37088 remain unexecuted as to the said Tonawanda reservation and  
 37089 the band of Senecas residing thereon; and

37090 Whereas it is ascertained, at the date of these articles, that  
 37091 the Seneca Indians, composing the Tonawanda band and re-  
 37092 siding upon the Tonawanda reservation, amount to 650 souls in  
 37093 number; and

37094 Whereas the United States are willing to exercise the lib-  
 37095 eral policy which has heretofore been exercised in regard to the  
 37096 Senecas, and for the purpose of relieving the Tonawandas of the  
 37097 difficulties and troubles under which they labor,

37098 These articles are entered into :

37099 ARTICLE 1. The said persons, authorized as in the caption  
 37100 hereof stated, hereby surrender and relinquish to the United  
 37101 States all claims severally and in common as a band of Indians,  
 37102 and as a part of the Seneca Nation, to the lands west of the  
 37103 State of Missouri, and all right and claim to be removed  
 37104 thither, and for support and assistance after such removal, and  
 37105 all other claims against the United States under the aforesaid  
 37106 treaties of 1838 and 1842, except, however, such moneys as they  
 37107 may be entitled to under said treaties, paid or payable by the  
 37108 said Ogden and Fellows.

37109 ARTICLE 2. In consideration of which aforesaid surrender  
 37110 and relinquishment, the United States agree to pay and invest,  
 37111 in the manner hereinafter specified, the sum of \$256,000 for the  
 37112 said Tonawanda band of Indians.

37113 ARTICLE 3. It is hereby agreed that the Tonawanda band  
 37114 may purchase of the said Ogden and Fellows, of the survivor of  
 37115 them, or of their heirs or assigns, the entire Tonawanda reserva-  
 37116 tion, or such portions thereof as they may be willing to sell and  
 37117 said band may be willing to purchase; and the United States  
 37118 undertake and agree to pay for the same out of the said sum of  
 37119 \$256,000, upon the express condition that the rate of purchase  
 37120 shall not exceed, on an average, \$20 per acre. The land  
 37121 so purchased shall be taken by deed of conveyance to the  
 37122 Secretary of the Interior of the United States, and his suc-  
 37123 cessors in office, in fee, to be held by him in trust for the said  
 37124 Tonawanda band of Indians and their exclusive use, occupation,  
 37125 and enjoyment, until the legislature of the State of New York  
 37126 shall pass an act designating some persons or public officer of  
 37127 that State to take and hold said land upon a similar trust for said  
 37128 Indians; whereupon they shall be granted by the said Secretary  
 37129 to such persons or public officer.

37130 ARTICLE 4. And the said Tonawanda band of Indians here-

37131 by agree to surrender, relinquish, and give up to the said Ogden  
 37132 and Fellows, the survivor of them, or their assigns—provided  
 37133 the whole reservation shall not be purchased—the unimproved  
 37134 lands which they shall not purchase, as aforesaid, within thirty  
 37135 days after this treaty shall be proclaimed by the President of  
 37136 the United States, and the improved lands which they shall not  
 37137 purchase, as aforesaid, on the 1st day of June, 1859.

37138 ARTICLE 5. For the purpose of contracting for and making  
 37139 purchase of the lands contemplated herein, a majority of the  
 37140 chiefs and head-men of said Tonawanda band, in council assem-  
 37141 bled, may appoint one or more attorneys with adequate powers,  
 37142 which appointment must be approved by the Secretary of the  
 37143 Interior before such attorney or attorneys can have power to  
 37144 act in the premises.

37145 ARTICLE 6. Whenever a quantity of said lands, amounting  
 37146 to 6,500 acres at the least, upon the terms hereinbefore provided,  
 37147 may be purchased, written notice, executed by the chiefs and  
 37148 head-men in council, and acknowledged before a justice of the  
 37149 supreme court of New York, or judge of the superior court of  
 37150 the city of Buffalo, shall be given to the Secretary of the Interior,  
 37151 whereupon the portion of said sum of \$256,000 not expended in  
 37152 the purchase of lands, as aforesaid, shall be invested by the said  
 37153 Secretary of the Interior in stocks of the United States, or in  
 37154 stocks of some of the States, at his discretion; and the increase  
 37155 arising from such investment shall be paid to the said Tonawanda  
 37156 Indians at the time and in the manner that the annuities are  
 37157 paid which said Indians are now entitled to receive from the  
 37158 United States.

37159 ARTICLE 7. It is hereby agreed that the sum of \$15,018<sup>36</sup>/<sub>100</sub>,  
 37160 “improvement money,” heretofore apportioned to the Indians  
 37161 upon the Tonawanda reservation, shall be again apportioned by  
 37162 an agent, to be appointed by the chiefs and head-men in council  
 37163 assembled, to be approved by the Secretary of the Interior, which  
 37164 agent shall make a report of such apportionment to the said Sec-  
 37165 retary of the Interior, and if he concur therein the shares so as-  
 37166 certain shall be paid to the individual Indians entitled thereto,  
 37167 who shall surrender and relinquish to the said Ogden and Fel-  
 37168 lows, or the survivor of them, or their assigns, their improve-  
 37169 ments, and any balance remaining shall be paid to the chiefs and  
 37170 head-men of the band, to be disbursed by them in payment of  
 37171 the debts or for the use of the band. The services of the agent  
 37172 to be thus appointed, and all other expenses attending the execu-  
 37173 tion of these articles, are to be paid by the United States out of  
 37174 any moneys coming to the Tonawandas.

37175 *Supplemental articles of agreement and convention, made this fifth*  
 37176 *day of November, in the year one thousand eight hundred and*  
 37177 *fifty-seven, at the meeting-house on the Tonawanda reservation,*  
 37178 *in the county of Genesee, State of New York, between Charles*  
 37179 *E. Mix, commissioner on behalf of the United States, of the*  
 37180 *first part, and the following persons, duly authorized thereunto*  
 37181 *by the Tonawanda band of Seneca Indians, viz: Jabez*  
 37182 *Ground, Jesse Spring, Isaac Shanks, George Sky, and Ely S.*  
 37183 *Parker, of the second part.*

37184       Whereas, at the date hereof and concurrent with the exe-  
 37185 cution of this instrument, articles of agreement and convention  
 37186 have been entered into between the parties aforesaid, in and by  
 37187 which articles it is provided that the said Tonawanda band of  
 37188 Seneca Indians may purchase portions of the Tonawanda reser-  
 37189 vation, "upon the express condition that the rate of purchase  
 37190 shall not exceed \$20 per acre on an average."

37191       And whereas the President of the United States may deem  
 37192 it discreet and expedient that certain portions of said reserva-  
 37193 tions, held in severalty by the assigns of said Ogden and Fellows,  
 37194 should be purchased by said Indians if it shall be necessary so  
 37195 to do, at a rate exceeding \$20 per acre on an average.

37196       Now, therefore, the said parties of the second part agree  
 37197 that portions of said reservation may be purchased by the au-  
 37198 thorized agents of said Indians for them, and paid for out of  
 37199 said sum of \$256,000, at a rate exceeding \$20 per acre on an  
 37200 average, provided the contract or contracts therefor shall be  
 37201 first submitted to and approved by the President, or some pub-  
 37202 lic officer to be designated by him.

37203       And the said parties of the second part solicit the President  
 37204 to accept and adopt this supplement as a part of the said arti-  
 37205 cles of agreement and convention entered into concurrent with  
 37206 the execution of this agreement.

37207       Proclaimed March 31, 1859.

37208 SENECA<sup>S</sup> RESIDING ON THE SANDUSKY RIVER,  
 37209 OHIO.

37210 *Articles of agreement and convention made and concluded at the*  
 37211 *city of Washington on the twenty-eighth day of February, in*  
 37212 *the year of our Lord one thousand eight hundred and thirty one,*  
 37213 *by and between James B. Gardiner, specially appointed com-*  
 37214 *missioner on the part of the United States, of the one part, and*  
 37215 *the undersigned, principal chiefs and warriors of the Seneca*  
 37216 *tribe of Indians, residing on the Sandusky River, in the State*

37217 *of Ohio, on the part of said tribe, of the other part, for the*  
 37218 *cession of the lands now owned and occupied by the said tribe*  
 37219 *of Indians lying on the waters of the Sandusky River, and sit-*  
 37220 *uate within the territorial limits of the organized counties of*  
 37221 *Seneca and Sandusky, in said State of Ohio.*

37222       Whereas the tribe of Seneca Indians, residing on Sandusky  
 37223 River, in the State of Ohio, have earnestly solicited the Presi-  
 37224 dent of the United States to negotiate with them for an exchange  
 37225 of the lands now owned and occupied by them for lands of the  
 37226 United States west of the river Mississippi, and for the removal  
 37227 and permanent settlement of said tribe:

37228       Therefore, in order to carry into effect the aforesaid objects,  
 37229 the following articles have been agreed upon:

37230       ARTICLE 1. The Seneca tribe of Indians, in consideration  
 37231 of the stipulations herein made on the part of the United States,  
 37232 do forever cede, release, and quit-claim to the United States the  
 37233 lands granted to them by patent, in fee-simple, by the sixth sec-  
 37234 tion of the treaty made at the foot of the Rapids of the Miami  
 37235 River of Lake Erie on the twenty-ninth day of September, in  
 37236 the year 1817, (see page 197,) containing thirty thousand acres, and  
 37237 described as follows: "Beginning on the Sandusky River at the  
 37238 lower corner of the section granted to William Spicer; thence down  
 37239 the river on the east side, with the meanders thereof at high-  
 37240 water mark, to a point east of the mouth of Wolf Creek; thence,  
 37241 and from the beginning, east, so far that a north line will include  
 37242 the quantity of thirty thousand acres." And said tribe also cede,  
 37243 as aforesaid, one other tract of land, reserved for the use of the said  
 37244 Senecas by the second article of the treaty made at St. Mary's,  
 37245 in the State of Ohio, on the seventeenth day of September, in  
 37246 the year 1818, which tract is described in said treaty as follows:  
 37247 "Ten thousand acres of land, to be laid off on the east side of  
 37248 the Sandusky River, adjoining the south side of their reserva-  
 37249 tion of thirty thousand acres, which begins on the Sandusky  
 37250 River at the lower corner of William Spicer's section, and ex-  
 37251 cluding therefrom the said William Spicer's section;" making,  
 37252 in the whole of this cession, forty thousand acres.

37253       ARTICLE 2. In consideration of the cessions stipulated in  
 37254 the foregoing article, the United States agree to cause the said  
 37255 tribe of Senecas, consisting of about four hundred souls, to be  
 37256 removed, in a convenient and suitable manner, to the western  
 37257 side of the Mississippi River, and will grant them, by patent,  
 37258 in fee simple, as long as they shall exist as a nation and remain  
 37259 on the same, a tract of land situate on and adjacent to the  
 37260 northern boundary of the lands heretofore granted to the Chero-  
 37261 kee Nation of Indians, and adjoining the boundary of the State

37262 of Missouri, which tract shall extend fifteen miles from east to  
 37263 west and seven miles from north to south, containing about sixty-  
 37264 seven thousand acres, be the same more or less, for which the  
 37265 President of the United States shall cause letters-patent to be  
 37266 issued, in due form of law, agreeably to the act of the last ses-  
 37267 sion of Congress.

37268     **ARTICLE 3.** The United States will defray the expenses of  
 37269 the removal of the said Senecas, and will moreover supply them  
 37270 with a sufficiency of wholesome provisions to support them for  
 37271 one year after their arrival at their new residence.

37272     **ARTICLE 4.** Out of the first sales to be made of the lands  
 37273 herein ceded by the Senecas, the United States will cause a grist-  
 37274 mill, a saw-mill, and a blacksmith-shop to be erected on the  
 37275 lands herein granted to the Senecas, with all necessary tools, to  
 37276 be supported and kept in operation, at the expense of the United  
 37277 States, for the sole benefit of the said Senecas, and for these pur-  
 37278 poses the United States will employ a miller and a blacksmith  
 37279 for such term as the President of the United States, in his dis-  
 37280 cretion, may think proper.

37281     **ARTICLE 5.** As the Seneca Indians on their removal will  
 37282 stand in need of funds to make farms and erect houses, it is  
 37283 agreed that the United States will advance them six thousand  
 37284 dollars, in lieu of the improvements which they have made on  
 37285 the lands herein ceded to the United States, which sum shall be  
 37286 reimbursed from the sales of the lands ceded. An equitable  
 37287 distribution of this sum shall be made by the chiefs, with the  
 37288 consent of the tribe, in general council assembled, to such indi-  
 37289 viduals of the tribe as, having left improvements, may be prop-  
 37290 erly entitled to receive the same.

37291     **ARTICLE 6.** The live stock, farming utensils, and other  
 37292 chattel property which the Senecas now own, and may not be  
 37293 able to take with them, shall be sold by some agent, to be ap-  
 37294 pointed by the President, and the proceeds paid to the owners  
 37295 of such property, respectively.

37296     **ARTICLE 7.** The expenses of the chiefs in coming to and re-  
 37297 maining at Washington and returning to Ohio, as well as the  
 37298 expenses and per diem pay of the native interpreter accompany-  
 37299 ing them, shall be paid by the United States.

37300     **ARTICLE 8.** The United States will expose to public sale  
 37301 to the highest bidders, at such time and in such manner as the  
 37302 President may direct, the tracts of land herein ceded by the  
 37303 Seneca Indians; and, after deducting from the proceeds of such  
 37304 sale the *minimum* price of the public lands, the cost of building  
 37305 the saw and grist mills and blacksmith-shop for the Senecas,  
 37306 the cost of surveying the lands, and the sum of six thou-  
 37307 sand dollars to be advanced in lieu of their present im-

37308 improvements, it is agreed that any balance which may remain  
 37309 of the avails of the lands after sale as aforesaid shall constitute  
 37310 a fund for the future exigencies of the tribe, on which the Gov-  
 37311 ernment of the United States consent and agree to pay to the  
 37312 chiefs of the nation, for the use and general benefit of the nation,  
 37313 annually, five per cent. on said balance, as an annuity; and if,  
 37314 at any time hereafter, the Seneca chiefs, by and with the con-  
 37315 sent of their tribe in general council assembled, shall make  
 37316 known to the President their desire that the fund thus to be  
 37317 created should be dissolved and given to the tribe, the Presi-  
 37318 dent shall cause the same to be paid over to them, in such man-  
 37319 ner as he may direct; provided he shall become satisfied of the  
 37320 propriety of so doing.

37321 ARTICLE 9. It is agreed that any annuity accruing to the  
 37322 Senecas by former treaties shall be paid to them at their in-  
 37323 tended residence west of the Mississippi, under the direction of  
 37324 the President.

37325 ARTICLE 10. The United States hereby agree to give to the  
 37326 Senecas, as presents, one hundred rifles, as soon as practicable,  
 37327 and four hundred blankets for the use of the tribe, to be deliv-  
 37328 ered to them at such time and place as may be directed by the  
 37329 Secretary of War. Also fifty ploughs, fifty hoes, and fifty axes  
 37330 will be given to the tribe, as aforesaid, to assist them in com-  
 37331 mencing farming.

37332 ARTICLE 11. The chiefs of the Senecas, being impressed  
 37333 with gratitude towards Henry C. Brish, their sub-agent, for his  
 37334 private advances of money and provisions, and numerous other  
 37335 acts of kindness towards them, as well as his extra services in  
 37336 coming with them to Washington, and having expressed a  
 37337 wish that a quarter section of a hundred and sixty acres of the  
 37338 lands ceded by them should be granted to him in consideration  
 37339 thereof, the same is hereby granted to him and his heirs, to be  
 37340 located under the direction of the President of the United  
 37341 States.

37342 ARTICLE 12. The lands granted by this agreement and con-  
 37343 vention to the Seneca tribe of Indians shall not be sold or ceded  
 37344 by them except to the United States.

37345 ARTICLE 13. It is communicated by the chiefs here that,  
 37346 in council, before they left home, it was agreed by the tribe  
 37347 that, for their services in coming to the city of Washington,  
 37348 each should receive one hundred dollars, to be paid by said  
 37349 tribe. At the request of said chiefs, it is agreed that the  
 37350 United States will advance the amount, to wit, five hundred  
 37351 dollars, to be hereafter reimbursed from the sale of their lands in  
 37352 Ohio.

37353 Proclaimed March 24, 1831.

37354

## SENECAS AND SHAWNEES.

37355 *Articles of agreement made and concluded at the Seneca agency, on*  
 37356 *the head-waters of the Cowskin River, this 29th day of Decem-*  
 37357 *ber, in the year of our Lord one thousand eight hundred and*  
 37358 *thirty-two, by and between Henry L. Ellsworth and John F.*  
 37359 *Schermerhorn, commissioners on behalf of the United States,*  
 37360 *and the chiefs and head-men of the "United Nation" of the*  
 37361 *Senecas and Shawnee Indians, on behalf of said tribe or na-*  
 37362 *tion.*

37363 Whereas certain articles of agreement and convention were  
 37364 concluded at Lewistown, Ohio, on the 20th day of July, A. D.  
 37365 1831, by and between the United States and the chiefs and war-  
 37366 riors of the mixed band of the Senecas and Shawnee Indians,  
 37367 residing at or near Lewistown, in the State of Ohio; and

37368 Whereas, by the 2nd article of said agreement, the United  
 37369 States stipulated and agreed with said tribe in the words follow-  
 37370 ing, to wit: "*to grant by patent, in fee-simple, to them and their*  
 37371 *heirs forever, as long as they shall exist as a nation and remain on*  
 37372 *the same, a tract of land, to contain sixty thousand acres, to be*  
 37373 *located under the direction of the President of the United*  
 37374 *States, contiguous to the lands granted to the Senecas of Sand-*  
 37375 *usky by the treaty made with them at the city of Washington*  
 37376 *on the 28th of February, 1831, and the Cherokee settlements.*  
 37377 *The east line of said tract shall be within two miles of the west*  
 37378 *line of the lands granted to the Senecas of Sandusky; and the*  
 37379 *south line shall be within two miles of the north line of the*  
 37380 *lands held by the Cherokees; and said two miles between the*  
 37381 *aforesaid lines shall serve as a common passway between the*  
 37382 *before-mentioned tribes, to prevent them from intruding upon*  
 37383 *the lands of each other."* And the treaty aforesaid was ratified  
 37384 and confirmed by the President and Senate of the United States  
 37385 on the 6th day of April, A. D. 1832; and

37386 Whereas the said mixed band of Senecas and Shawnees  
 37387 removed from their homes in Ohio, to settle upon the lands  
 37388 assigned them west of the Mississippi, in pursuance of the pro-  
 37389 visions and stipulations of the treaty aforesaid; and

37390 Whereas the said Senecas from Sandusky and the mixed  
 37391 band of Senecas and Shawnees have lately formed a confederacy,  
 37392 and have expressed their anxiety to unite as one tribe or nation,  
 37393 to be called the "United Nation of Senecas and Shawnees," to  
 37394 occupy their lands as tenants in common, and have the whole of  
 37395 the country provided for them by the United States located on

37396 the east side of Ne-o-sho or Grand River, which runs through  
37397 and now divides the same :

37398 For the purpose of affording a more convenient and satisfac-  
37399 tory location to said united nation, the parties aforesaid do,  
37400 therefore, hereby stipulate and agree as follows :

37401 ARTICLE 1. The united tribe of Senecas and Shawnee In-  
37402 dians do hereby cede, relinquish, and forever quit-claim to the  
37403 United States, all the land granted to them on the west side of  
37404 Ne-o-sho or Grand River, by treaties made respectively with the  
37405 Senecas of Sandusky and the mixed band of Senecas and Shaw-  
37406 nees of Lewistown, Ohio, on the 20th day of July, 1831, and on  
37407 the 28th day of February, 1831. (See next preceding treaty.)

37408 ARTICLE 2. In consideration of said lands, described and  
37409 ceded as aforesaid, the United States will grant, by letters-  
37410 patent, to the tribe or nation of Indians aforesaid, in manner as  
37411 hereinafter mentioned, the following tract of land lying on the  
37412 east side of Ne-o-sho or Grand River, viz: Bounded on the east  
37413 by the west line of the State of Missouri; south, by the present  
37414 established line of the Cherokee Indians; west, by Ne-o-sho or  
37415 Grand River; and north by a line running parallel with said  
37416 south line, and extending so far from the present north line of  
37417 the Seneca Indians from Sandusky as to contain sixty thousand  
37418 acres, exclusive of the land now owned by said Seneca Indians,  
37419 which said boundaries include, however, all the land heretofore  
37420 granted said Senecas of Sandusky on the east side of Grand  
37421 River. And the United States will grant said tract of land by  
37422 two letters-patent; the north half, in quantity, to be granted to  
37423 the mixed band of the Senecas and Shawnees of Ohio, and the  
37424 south half to the Senecas from Sandusky, aforesaid; the whole  
37425 to be occupied in common so long as the said tribes or bands  
37426 shall desire the same. The said patents shall be granted in fee-  
37427 simple; but the lands shall not be sold or ceded without the  
37428 consent of the United States.

37429 ARTICLE 3. The United States, at the request of said  
37430 "United Nation," agree to erect immediately a grist-mill, a saw-  
37431 mill, and a blacksmith-shop, and furnish the necessary tools  
37432 and machinery in anticipation of a re-imbusement from sales of  
37433 land ceded to the United States by the treaties aforesaid, of  
37434 28th of February, 1831, and July 20th, 1831, and so far in fulfil-  
37435 ment of the same.

37436 ARTICLE 4. The United Nation of Seneca and Shawnees  
37437 having presented a claim for money advanced by them for for-  
37438 age while removing to their new homes in the West, and for  
37439 horses and other property lost on the journey, the United States,  
37440 in order to a final settlement of such claim, agree to pay one  
37441 thousand dollars, as follows, viz: Six hundred dollars to the

37442 Seneca tribe of Indians from Sandusky; and the sum of four  
 37443 hundred dollars to the Senecas and Shawnees from Lewistown,  
 37444 Ohio, to be distributed by their respective tribes among the  
 37445 claimants, as they may deem just and equitable; and to be  
 37446 received by them in full payment and satisfaction of all the  
 37447 claims aforesaid.

37448 ARTICLE 5. Nothing in these articles of agreement shall be  
 37449 construed to effect the respective rights of the Seneca tribe of  
 37450 Indians from Sandusky, and the Senecas and Shawnees from  
 37451 Lewistown, Ohio, as secured by existing treaties, except so far  
 37452 as said treaties are inconsistent with the provisions of the arti-  
 37453 cles aforesaid.

37454 ARTICLE 6. This agreement and treaty shall be binding  
 37455 and obligatory upon the contracting parties from and after its  
 37456 ratification by the President and Senate of the United States.

37457 Proclaimed March 22, 1833.

37458 SENECA, MIXED SENECA AND SHAWNEE, QUAPAW, ETC.  
 37459

37460 *Treaty between the United States of America and the Senecas,*  
 37461 *Mixed Senecas and Shawnees, Quapaws, Confederated Peorias,*  
 37462 *Kaskaskias, Weas, and Piankeshaws, Ottawas of Blanchard's*  
 37463 *Fork and Roche de Bœuf, and certain Wyandottes; concluded*  
 37464 *February 23, 1867; ratification advised, with amendments,*  
 37465 *June 18, 1868; amendments accepted September 1, 7, 8, and*  
 37466 *15, 1868.*

37467 ANDREW JOHNSON, President of the United States of America,  
 37468 to all and singular to whom these presents shall come, greet-  
 37469 ing :

37470 Whereas a treaty was made and concluded at the city of  
 37471 Washington, in the District of Columbia, on the twenty-third  
 37472 day of February, in the year of our Lord one thousand eight  
 37473 hundred and sixty-seven, by and between Lewis V. Bogy, Will-  
 37474 iam H. Watson, Thomas Murphy, George C. Snow, and G. A.  
 37475 Colton, commissioners on the part of the United States, and  
 37476 certain chiefs, delegates, and head-men of the Senecas, Mixed  
 37477 Senecas and Shawnees, Quapaws, Confederated Peorias, Kas-  
 37478 kaskias, Weas, and Piankeshaws, Miamies, Ottawas of Blanch-  
 37479 ard's Fork and Roche de Bœuf, and certain Wyandottes, on the  
 37480 part of said Indians, and duly authorized thereto by them,  
 37481 which treaty is in the words and figures following, to wit:  
 37482 Articles of agreement, concluded at Washington, D. C., the

37483 twenty-third day of February, one thousand eight hundred  
 37484 and sixty-seven, between the United States, represented by  
 37485 Lewis V. Bogy, Commissioner of Indian Affairs, W. H. Wat-  
 37486 son, special commissioner, Thomas Murphy, superintendent  
 37487 of Indian affairs, George C. Snow, and G. A. Colton, U. S.  
 37488 Indian agents, duly authorized, and the Senecas, repre-  
 37489 sented by George Spicer and John Mush; the Mixed Sene-  
 37490 cas and Shawnees, by John Whitetree, John Young, and  
 37491 Lewis Davis; the Quapaws, by S. G. Vallier and Ka-zhe-  
 37492 cah; the Confederate Peorias, Kaskaskias, Weas, and Pi-  
 37493 ankeshaws, by Baptiste Peoria, John Mitchell, and Edward  
 37494 Black; the Miamies, by Thomas Metosenyah and Thomas  
 37495 Richardville; and the Ottawas of Blanchard's Fork and  
 37496 Roche de Bœuf, by John White and J. T. Jones, and in-  
 37497 cluding certain Wyandott[e]s, represented by Tauromee, or  
 37498 John Hat, and John Karaho.

37499 Whereas it is desirable that arrangements should be made  
 37500 by which portions of certain tribes, parties hereto, now residing  
 37501 in Kaasas, should be enabled to remove to other lands in the  
 37502 Indian country south of that State, while other portions of said  
 37503 tribes desire to dissolve their tribal relations, and become citi-  
 37504 zens; and

37505 Whereas it is necessary to provide certain tribes, parties  
 37506 hereto, now residing in the Indian country, with means of  
 37507 rebuilding their houses, re-opening their farms, and supporting  
 37608 their families, they having been driven from their reservations  
 37509 early in the late war, and suffered greatly for several years, and  
 37510 being willing to sell a portion of their lands to procure such re-  
 37511 lief; and

37512 Whereas a portion of the Wyandottes, parties to the  
 37513 treaty of one thousand eight hundred and fifty-five, although  
 37514 taking lands in severalty, have sold said lands, and are still  
 37515 poor, and have not been compelled to become citizens, but have  
 37516 remained without clearly recognized organization, while others  
 37517 who did become citizens are unfitted for the responsibilities of  
 37518 citizenship; and

37519 Whereas the Wyandottes, treated with in eighteen hundred  
 37520 and fifty-five, have just claims against the Government, which  
 37521 will enable the portion of their people herein referred to to begin  
 37522 anew a tribal existence:

37523 Therefore it is agreed:

37524 ARTICLE 1. The Senecas cede to the United States a strip  
 37525 of land on the north side of their present reservation in the In-  
 37526 dian country; the land so ceded to be bounded on the east by  
 37527 the State of Missouri, on the north by the north line of the res-  
 37528 ervation, on the west by the Neosho River, and running south

37529 for the necessary distance, to contain twenty thousand acres ;  
 37530 for which the Government is to pay twenty thousand dollars  
 37531 upon the ratification of this treaty ; the south line of said tract  
 37532 to be ascertained by survey, at the cost of the United States.

37533 ARTICLE 2. The Senecas now confederated with the Shaw-  
 37534 nees, and owning an undivided half of a reservation in the In-  
 37535 dian country immediately north of the Seneca reservation men-  
 37536 tioned in the preceding article, cede to the United States one-  
 37537 half of said Seneca and Shawnee reserve, which it is mutually  
 37538 agreed shall be the north half, bounded on the east by the State  
 37539 of Missouri, north by the Quapaw reserve, west by the Neosho  
 37540 River, and south by an east and west line bisecting the present  
 37541 Seneca and Shawnee reserve into equal parts, the said line to be  
 37542 determined by survey, at the expense of the United States ; for  
 37543 which tract of land, estimated to contain about thirty thousand  
 37544 acres, the United States will pay the sum of twenty-four thou-  
 37545 sand dollars.

37546 ARTICLE 3. The Shawnees, heretofore confederated with  
 37547 the Senecas, cede to the United States that portion of their re-  
 37548 maining lands, bounded as follows : Beginning at a point where  
 37549 Spring River crosses the south line of the tract in the second  
 37550 article ceded to the United States ; thence down said river to  
 37551 the south line of the Shawnee reserve ; thence west to the Neo-  
 37552 sho River ; thence up said river to the south line of the tract  
 37553 ceded in the second article ; and thence east to the place of be-  
 37554 ginning, supposed to contain about twelve thousand acres, the  
 37555 area to be ascertained by survey, at the expense of the United  
 37556 States ; the United States to pay for the same at the rate of one  
 37557 dollar per acre, as soon as the area shall be ascertained.

37558 ARTICLE 4. The Quapaws cede to the United States that  
 37559 portion of their land lying in the State of Kansas, being a strip  
 37560 of land on the north line of their reservation, about one half  
 37561 mile in width, and containing about twelve sections in all, ex-  
 37562 cepting therefrom one half section to be patented to Samuel G.  
 37563 Vallier, including his improvements. Also, the further tract  
 37564 within their present reserve, bounded as follows : Beginning at  
 37565 a point in the Neosho River where the south line of the Quapaw  
 37566 reserve strikes that stream ; thence east three miles ; thence  
 37567 north to the Kansas boundary-line ; thence west on said line to  
 37568 the Neosho River ; thence down said river to the place of begin-  
 37569 ning ; and the United States will pay to the Quapaws for the  
 37570 half-mile strip lying in Kansas at the rate of one dollar and  
 37571 twenty-five cents per acre whenever the area of the same shall  
 37572 be ascertained ; and for the other tract described in this article  
 37573 at the rate of one dollar and fifteen cents per acre whenever  
 37574 the area of the same shall be ascertained by survey, said survey

37575 to be made at the cost of the tribe to which said tract is herein  
 37576 provided to be sold under the pre-emption laws of the United  
 37577 States; but all such pre-emption shall be paid in the money of  
 37578 the United States, at the proper land-office within one year from  
 37579 the date of entry and settlement.

37580

## PROVISIONS RELATING TO THE SENECA.

37581 ARTICLE 5. The Senecas now confederated with the Shaw-  
 37582 nees, the said Shawnees thereto consenting, agree to dissolve their  
 37583 connection with the said Shawnees, and to unite with the Senecas,  
 37584 parties to the treaty of February twenty-eighth, one thousand  
 37585 eight hundred and thirty-one, (see page 833,) upon their reserva-  
 37586 tion described in article second of said treaty; and the several  
 37587 bands of Senecas will unite their funds into one common fund for  
 37588 the benefit of the whole tribe; and an equitable division shall be  
 37589 made of all funds or annuities now held in common by the Sene-  
 37590 cas and Shawnees.

37591 ARTICLE 6. Of the sum of twenty-four thousand dollars to  
 37592 be paid to the Senecas, as provided in the second article, the  
 37593 sum of four thousand dollars shall be paid to them immediately  
 37594 after the ratification of this treaty, to enable them to re-establish  
 37595 their homes and provide themselves with agricultural imple-  
 37596 ments, seed, and provisions for themselves and their families;  
 37597 and the balance of the said first-mentioned sum, being twenty  
 37598 thousand dollars, shall be consolidated with the twenty thousand  
 37599 dollars in the first article provided to be paid, and invested for  
 37600 the tribe of Senecas, as constituted by this treaty, at five per  
 37601 cent. interest, to be paid per capita semi-annually; and their  
 37602 annuity of five hundred dollars in specie, provided by article  
 37603 four of the treaty of September twenty-ninth, one thousand  
 37604 eight hundred and seventeen, shall likewise become the property  
 37605 of the tribe.

37606 ARTICLE 7. The amount annually due the Senecas under  
 37607 the provisions of article four of the treaty of February twenty-  
 37608 eight, one thousand eight hundred and thirty-one, for black-  
 37609 smith, after their separation from the Shawnees, shall be annu-  
 37610 ally paid to them as a national fund, to enable them to purchase  
 37611 such articles for their wants and improvements in agriculture as  
 37612 the chiefs, with the consent of their agent, may designate; and  
 37613 this provision shall apply also to the fund for support of a miller  
 37614 belonging to the Senecas heretofore occupying the southernmost  
 37615 reserve referred to in this treaty; and there shall be added to  
 37616 the said fund whatever amount belonging to either band of the  
 37617 Senecas shall be found due and unpaid upon an examination of  
 37618 their accounts with the Government, and particularly the amount  
 37619 of bonds and stocks invested in their name; and the interest

thereon shall be annually paid to the said Senecas for the purposes mentioned in this article.

PROVISIONS RELATING TO THE SHAWNEES.

ARTICLE 8. Of the amount in the third article provided to be paid to the Shawnees by the United States for the lands therein ceded, the sum of two thousand dollars shall be advanced to them to be used in establishing their homes, and the balance of the said amount shall be invested for the said tribe, under the name of Eastern Shawnees, and five per cent. be paid semi-annually thereon; and the amount due and unpaid upon the bonds or stocks invested in their name shall be paid to them, as well as the interest thereon hereafter to become due, to be used under the direction of the chiefs, with the consent of the agent, for the purchase of agricultural implements or other articles necessary for the general welfare of the people; and the one-half of the blacksmith fund remaining after the division to be made with the Senecas provided for in article five shall remain devoted to the same purpose and the Government will add thereto the sum of five hundred dollars annually for five years.

PROVISIONS RELATING TO THE QUAPAWS.

ARTICLE 9. Of the amount to be paid to the Quapaws for the lands ceded by them in the fourth article of this treaty, the sum of five thousand dollars shall be paid to them upon the ratification of this treaty, to assist them in re-establishing themselves at their homes upon their remaining reservation; and the balance of said amount shall be invested as a permanent fund at five per cent. interest, payable per capita, semi-annually.

ARTICLE 10. If the Osage mission school should be closed, so that the school fund of the Quapaws cannot be used for them to advantage at that institution, the said fund shall remain in the Treasury of the United States until such time as it can, under the direction of the Secretary of the Interior, with the consent of the chiefs, be used to advantage in establishing a school upon their reservation.

ARTICLE 11. The amount now due and unpaid for a farmer, under the provisions of the third article of their treaty of May thirteen, one thousand eight hundred and thirty-eight [three], may be used by the chiefs and council for the purchase of provisions, farming-implements, seed, and otherwise for the purpose of assisting the people in agriculture; and their annual income now paid for farmer shall hereafter be set apart for the purposes of assistance and improvement in agriculture.

37662

## CLAIMS FOR LOSSES BY THE WAR.

37663

ARTICLE 12. Whereas the aforesaid Senecas, Mixed Senecas  
 37664 and Shawnees, and Quapaws were driven from their homes during  
 37665 the late war, and their property destroyed, it is agreed that a  
 37666 commission of not to exceed two persons shall be appointed by  
 37667 the Secretary of the Interior who shall proceed to their country  
 37668 and make careful investigation of their claims for losses, and  
 37669 make full report of the same to the Department; and the Secre-  
 37670 tary of the Interior shall, upon such report, make such awards  
 37671 as he may deem equitable and just; and upon such award  
 37672 the United States will pay the claimants the amounts declared  
 37673 to be due, and report the same to Congress.

37674

## PROVISIONS IN RELATION TO THE WYANDOTTES.

37675

ARTICLE 13. The United States will set apart for the Wy-  
 37676 andottes for their future home the land ceded by the Senecas in  
 37677 the first article hereof, and described in said article, to be owned  
 37678 by the said Wyandottes in common; "and the Secretary of the  
 37679 Interior is hereby authorized and required to appoint three per-  
 37680 sons, whose duty it shall be to ascertain and report to the De-  
 37681 partment the amount of money, if any, due by the United  
 37682 States to the Wyandott[e] Indians under existing treaty stipula-  
 37683 tions, and the items mentioned in Schedule A, appended to this  
 37684 treaty, and the report of the persons so appointed, with the evi-  
 37685 dence taken, shall be submitted to Congress for action at its  
 37686 next session." A register of the whole people, resident in Kan-  
 37687 sas and elsewhere, shall be taken by the agent of the Delawares,  
 37688 under the direction of the Secretary of the Interior, on or before  
 37689 the first of July, one thousand eight hundred and sixty-seven,  
 37690 which shall show the names of all who declare their desire to be  
 37691 and remain Indians, and in a tribal condition, together with in-  
 37692 competents and orphans, as described in the treaty of one thou-  
 37693 sand eight hundred and fifty-five; and all such persons, and  
 37694 those only, shall hereafter constitute the tribe: *Provided*, That  
 37695 no one who has heretofore consented to become a citizen, nor  
 37696 the wife or children of any such person, shall be allowed to be-  
 37697 come members of the tribe except by the free consent of the  
 37698 tribe after its new organization, and unless the agent shall cer-  
 37699 tify that such party is through poverty or incapacity unfit to  
 37700 continue in the exercise of the responsibilities of citizenship of  
 37701 the United States and likely to become a public charge.

37702

ARTICLE 14. Whenever the register in the next preceding  
 37703 article shall have been completed and returned to the Commis-  
 37704 sioner of Indian Affairs, the amount of money in said article  
 37705 acknowledged to be due to the Wyandott[e]s shall be divided,

37706 and that portion equitably due to the citizens of said people  
 37707 shall be paid to them or their heirs, under the direction of the  
 37708 Secretary of the Interior; and the balance, after deducting the  
 37709 cost of the land purchased from the Senecas by the first article  
 37710 hereof, and the sum of five thousand dollars to enable the Wy-  
 37711 andott[e]s to establish themselves in their new homes, shall be  
 37712 paid to the Wyandott[e] tribe per capita.

37713 ARTICLE 15. All restrictions upon the sale of lands as-  
 37714 signed and patented to "incompetent" Wyandott[e]s under the  
 37715 fourth article of the treaty of one thousand eight hundred and  
 37716 fifty-five, shall be removed after the ratification of this treaty,  
 37717 but no sale of lands heretofore assigned to orphans or incompe-  
 37718 tents shall be made under decree of any court, or otherwise, for  
 37719 or on account of any claim, judgment, execution, or order, or for  
 37720 taxes, until voluntarily sold by the patentee, or his or her heirs,  
 37721 with the approval of the Secretary of the Interior; and whereas  
 37722 many sales of land belonging to this class have heretofore been  
 37723 made, contrary to the spirit and intent of the treaty of one  
 37724 thousand eight hundred and fifty-five, it is agreed that a thor-  
 37725 ough examination and report shall be made, under direction of  
 37726 the Secretary of the Interior, in order to ascertain the facts re-  
 37727 lating to all such cases; and, upon a full examination of such re-  
 37728 port and hearing of the parties interested, the said Secretary  
 37729 may confirm the said sales, or require an additional amount to  
 37730 be paid, or declare such sales entirely void, as the very right of  
 37731 the several cases may require.

37732 PROVISIONS RELATING TO THE OTTAWAS.

37733 ARTICLE 16. The west part of the Shawnee reservation,  
 37734 ceded to the United States by the third article, is hereby sold  
 37735 to the Ottawas, at one dollar per acre; and for the purpose of  
 37736 paying for said reservation the United States shall take the  
 37737 necessary amount, whenever the area of such land shall be found  
 37738 by actual survey, from the funds in the hands of the Government  
 37739 arising from the sale of the Ottawa trust-lands, as provided in  
 37740 the ninth article of the treaty of one thousand eight hundred  
 37741 and sixty-two, and the balance of said fund, after the payment  
 37742 of accounts provided for in article five of the treaty of one  
 37743 thousand eight hundred and sixty-two, shall be paid to the tribe  
 37744 per capita.

37745 ARTICLE 17. The provisions of the Ottawa treaty of one thou-  
 37746 sand eight hundred and sixty-two, (see page 599,) under which all  
 37747 the tribe were to become citizens upon the sixteenth of July, one  
 37748 thousand eight hundred and sixty-seven, are hereby extended for  
 37749 two years, or until July sixteenth, one thousand eight hundred and  
 37750 sixty-nine; but any time previous to that date any member of

37751 the tribe may appear before the United States district court for  
 37752 Kansas, and declare his intention to become a citizen, when he  
 37753 shall receive a certificate of citizenship, which shall include his  
 37754 family, and thereafter be disconnected with the tribe, and shall  
 37755 be entitled to his proportion of the tribal fund; and all who  
 37756 shall not have made such declaration previous to the last-men-  
 37757 tioned date shall still be considered members of the tribe. In  
 37758 order to enable the tribe to dispose of their property in Kansas,  
 37759 and remove to their new homes and establish themselves thereon,  
 37760 patents in fee-simple shall be given to the heads of families and  
 37761 to all who have come of age among the allottees under the  
 37762 the treaties of one thousand eight hundred and sixty-two, so that  
 37763 they may sell their lands without restriction; but the said lands  
 37764 shall remain exempt from taxation so long as they may be retained  
 37765 by members of the tribe down to the said sixteenth of July, one  
 37766 thousand eight hundred and sixty-nine; and the chiefs and  
 37767 council of the said tribe shall decide in the case of disputed  
 37768 heirship to real estate, taking as a rule the laws of inheritance  
 37769 of the State of Kansas.

37770 ARTICLE 18. The United States agree to pay claim of  
 37771 J. T. Jones, for which a bill of appropriation has passed one of  
 37772 the branches of Congress, but which has been withdrawn from  
 37773 before Congress, being for destruction by fire of his dwelling  
 37774 and other property by whites, in one thousand eight hundred  
 37775 and fifty-six, shall be allowed and paid to him, amounting to six  
 37776 thousand seven hundred dollars.

37777 ARTICLE 19. The sixth article of the treaty of one thousand  
 37778 eight hundred and sixty-two (see page 601) shall remain unchanged  
 37779 except as provided in this article. The children of the tribe be-  
 37780 tween the ages of six and eighteen (6 and 18) shall be entitled to be  
 37781 received at said institution, and to be subsisted, clothed, edu-  
 37782 cated, and attended in sickness, where the sickness is of such a  
 37783 nature that the patient promises a return to study within a  
 37784 reasonable period; the children to be taught and practised in  
 37785 industrial pursuits suitable to their age and sex, and both sexes  
 37786 in such branches of learning, and to receive such advantages as  
 37787 the means of the institution will permit; these rights and privi-  
 37788 leges to continue so long as any children of the tribe shall  
 37789 present themselves for their exercise. And the Secretary of the  
 37790 Interior and the senior corresponding secretary of the American  
 37791 Baptist Home Mission Society shall be members *ex officio* of the  
 37792 board of trustees, with power to vote in person or by proxy, it  
 37793 being the special intention of this provision to furnish additional  
 37794 supervision of the institution, so that the provisions of this  
 37795 article may be carried into effect in their full spirit and intent.

37796 ARTICLE 20. It is further agreed that the remaining unsold

37797 portion of trust-lands of the Ottawas, amounting to seven thou-  
 37798 sand two hundred and twenty-one and twenty one-hundredths  
 37799 acres, shall be sold to the trustees of Ottawa University, to be  
 37800 disposed of for the benefit of said institution at the appraised  
 37801 value thereof, and that the said trustees shall have until July  
 37802 sixteenth, one thousand eight hundred and sixty-nine, to dispose  
 37803 of the same and pay to the Government the value of said lands :  
 37804 *Provided*, That the said trustees shall furnish, within thirty  
 37805 days after the ratification of this treaty, to the Secretary of the  
 37806 Interior, a satisfactory bond for the fulfilment of their obliga-  
 37807 tions.

37808 PROVISIONS RELATING TO THE PEORIAS, KASKASKIAS, WEAS,  
 37809 AND PIANKESHAW.

37810 ARTICLE 21. Whereas certain arrangements have been  
 37811 made by the chiefs of the confederated tribes of Peorias, Kas-  
 37812 kaskias, Weas, and Piankeshaws for the sale to actual settlers  
 37813 of the lands held by them in common, being nine and one-half  
 37814 sections, for a reasonable consideration, according to the terms  
 37815 of a certain petition of the said tribe, with schedule annexed,  
 37816 (which schedule is annexed to this treaty, and marked "B,")  
 37817 dated December twenty-sixth, one thousand eight hundred and  
 37818 sixty-six, filed in the office of the Commissioner of Indian  
 37819 Affairs, it is agreed that the said arrangements shall be carried  
 37820 into full effect, and the purchasers thereunder shall receive  
 37821 patents from the United States for the lands so purchased, upon  
 37822 making full payment for the same to the Secretary of the Inte-  
 37823 rior, and the amount already paid by said purchasers, as appears  
 37824 from said schedule and in the hands of the chiefs, shall be paid  
 37825 to the Secretary of the Interior, and the whole amount of the  
 37826 purchase-money shall also be paid to the said Secretary on or  
 37827 before the first day of June, one thousand eight hundred and  
 37828 sixty-seven, and shall be held by him for the benefit of the tribe,  
 37829 subject to the provisions of this treaty.

37830 ARTICLE 22. The land in the second and fourth articles of  
 37831 this treaty proposed to be purchased from the Senecas and Qua-  
 37832 paws, and lying south of Kansas, is hereby granted and sold  
 37833 to the Peorias, &c., and shall be paid for, at the rate paid for  
 37834 the same by the Government, out of the proceeds of the nine  
 37835 and a half sections referred to in the last preceding article,  
 37836 adding thereto whatever may be necessary out of other moneys  
 37837 in the hands of the United States belonging to said Peorias, &c.

37838 ARTICLE 23. The said Indians agree to dispose of their  
 37839 allotments in Kansas and remove to their new homes in the  
 37840 Indian country within two years from the ratification of this  
 37841 treaty ; and to that end the Secretary of the Interior is author-

37842 ized to remove altogether the restrictions upon the sales of their  
 37843 lands provided under authority of the third article of the treaty  
 37844 of May thirtieth, one thousand eight hundred and fifty-four, in  
 37845 such manner that adult Indians may sell their own lands, and that  
 37846 the lands of minors and incompetents may be sold by the chiefs,  
 37847 with the consent of the agent, certified to the Secretary of the  
 37848 Interior and approved by him. And if there should be any  
 37849 allotments for which no owner or heir thereof survives, the chiefs  
 37850 may convey the same by deed, the purchase-money thereof to be  
 37851 applied, under the direction of the Secretary, to the benefit of  
 37852 the tribe; and the guardianship of orphan children shall remain  
 37853 in the hands of the chiefs of the tribe, and the said chiefs shall  
 37854 have the exclusive right to determine who are members of the  
 37855 tribe and entitled to be placed upon the pay-rolls.

37856 ARTICLE 24. An examination shall be made of the books  
 37857 of the Indian Office, and an account-current prepared, stating  
 37858 the condition of their funds, and the representations of the  
 37859 Indians for overcharges for sales of their lands in one thousand  
 37860 eight hundred and fifty-seven and one thousand eight hundred  
 37861 and fifty-eight shall be examined and reported to Congress; and  
 37862 in order further to assist them in preparing for removal and in  
 37863 paying their debts, the further amount of twenty-five thousand  
 37864 dollars shall be at the same time paid to them per capita from  
 37865 the sum of one hundred and sixty-nine thousand six hundred  
 37866 and eighty-six dollars and seventy-five cents, invested for said  
 37867 Indians under act of Congress of July twelfth, one thousand  
 37868 eight hundred and sixty-two; and the balance of said sum of  
 37869 one hundred and sixty-nine thousand six hundred and eighty-  
 37870 six dollars and seventy-five cents, together with the sum of  
 37871 ninety-eight thousand dollars now invested on behalf of the  
 37872 said Indians in State stocks of Southern States, and the sum of  
 37873 three thousand seven hundred dollars, being the balance of in-  
 37874 terest, at five per cent. per annum, on thirty-nine thousand nine  
 37875 hundred and fifty dollars held by the United States, from July,  
 37876 one thousand eight hundred and fifty-seven, till vested in Kan-  
 37877 sas bonds in December, one thousand eight hundred and sixty-  
 37878 one, after crediting five thousand dollars thereon heretofore  
 37879 receipted for by the chiefs of said Indians, shall be and remain  
 37880 as the permanent fund of the said tribe, and five per cent. be  
 37881 paid semi-annually thereon, per capita, to the tribe; and the  
 37882 interest due upon the sum of twenty-eight thousand five hun-  
 37883 dred dollars in Kansas bonds, and upon sixteen thousand two  
 37884 hundred dollars in United States stocks, now held for their  
 37885 benefit, shall be paid to the tribe semi-annually, in two equal  
 37886 payments, as a permanent school-fund income: *Provided*, That  
 37887 there shall be taken from the said invested fund and paid to

37888 the said tribe, per capita, on the first of July, one thousand  
 37889 eight hundred and sixty-eight, the sum of thirty thousand  
 37890 dollars, to assist them in establishing themselves upon their  
 37891 new homes; and at any time thereafter, when the chiefs  
 37892 shall represent to the satisfaction of the Secretary of the Inte-  
 37893 rior that an additional sum is necessary, such sum may be taken  
 37894 from their invested fund: *And provided also*, That the said in-  
 37895 vested fund shall be subject to such division and diminution as  
 37896 may be found necessary in order to pay those who may become  
 37897 citizens their share of the funds of the tribe.

37898 ARTICLE 25. Whereas taxes have been levied by the au-  
 37899 thority of the State of Kansas upon lands allotted to members  
 37900 of the tribe, the right and justice of which taxation is not ac-  
 37901 knowledged by the Indians, and on which account they have  
 37902 suffered great vexation and expense, and which is now a matter  
 37903 in question in the Supreme Court of the United States, it is  
 37904 agreed that, in case that court shall decide such taxes unlawful,  
 37905 the Government will take measures to secure the refunding of  
 37906 said taxes to such of the Indians as have paid them.

37907 ARTICLE 26. The Peorias, Kaskaskias, Weas, and Pianke-  
 37908 shaws agree that the Miamies may be confederated with them  
 37909 upon their new reservation, and own an undivided right in said  
 37910 reservation in proportion to the sum paid, upon the payment  
 37911 by the said Miamies of an amount which, in proportion to the  
 37912 number of the Miamies who shall join them, will be equal to  
 37913 their share of the purchase-money in this treaty provided to be  
 37914 paid for the land, and also upon the payment into the common  
 37915 fund of such amount as shall make them equal in annuities to  
 37916 the said Peorias, &c., the said privilege to remain open to the  
 37917 Miamies two years from the ratification of this treaty.

37918 ARTICLE 27. The United States agree to pay the said  
 37919 Indians the sum of one thousand five hundred dollars per year  
 37920 for six years for their blacksmith and for necessary iron and  
 37921 steel and tools; in consideration of which payment the said tribe  
 37922 hereby relinquish all claims for damages and losses during the  
 37923 late war, and at the end of the said six years any tools or ma-  
 37924 terials remaining shall be the property of the tribe.

37925 ARTICLE 28. Inasmuch as there may be those among them  
 37926 who may desire to remain in Kansas and become citizens of the  
 37927 United States, it is hereby provided that, within six months  
 37928 after the ratification of this treaty, a register shall be taken by  
 37929 the agent, which shall show the names separately of all who  
 37930 voluntarily desire to remove, and all who desire to remain and  
 37931 become citizens; and those who shall elect to remain may  
 37932 appear before the judge of the United States district court for  
 37933 Kansas and make declaration of their intention to become citi-

37934 zens, and take the oath to support the Constitution of the United  
 37935 States; and upon filing of a certificate of such declaration  
 37936 and oath in the office of the Commissioner of Indian Affairs  
 37937 they shall be entitled to receive the proportionate share of them-  
 37938 selves and their children in the invested funds and other com-  
 37939 mon property of the tribe; and therefrom they and their  
 37940 children shall become citizens, and have no further rights in the  
 37941 tribe; and all the females who are heads of families, and single  
 37942 women of full age, shall have the right to make such declaration  
 37943 and become disconnected from the tribe.

37944 Articles 29 to 39, inclusive, stricken out.

37945 ARTICLE 40. If any amendments shall be made to this  
 37946 treaty by the Senate, it shall only be necessary to submit the  
 37947 same for the assent of the particular tribe or tribes interested;  
 37948 and should any such amendments be made, and the assent of  
 37949 the tribe or tribes interested not obtained, the remainder of the  
 37950 treaty not affected by such amendment shall nevertheless take  
 37951 effect and be in force.

37952 ARTICLE 41. The expenses of negotiating this treaty, not  
 37953 exceeding twelve thousand dollars, shall be paid by the United  
 37954 States.

37955 B.—Names of settlers, Nos. of land and price thereof, together with the amount  
 37956 deposited by each settler, on the ten-section reserve in Miami County, Kansas.

37957	Names.	Quarter.	Section. Township. Range.	Number of acres.	Price per acre.	Sum depos- ited.	Total.
37958	Andrew J. Sinclair.	E. $\frac{1}{2}$ .....	23 16 24	320	\$4 00	\$426 66	\$1,280 00
37959	Zacheus Hays ....	NW. and E. $\frac{1}{2}$ . SW. and SE. of NW. }	26 16 .. 22 .. ..	160 120	4 75 4 50	433 00	1,300 00
37960	Randolph Boyd...	NE.....	26 .. ..	160	4 75	253 33	760 00
37961	John Nichols and William Gray.	W. $\frac{1}{2}$ SE.....	.. .. .	80	3 75	100 00	300 00
37962	John Martin.....	SE .....	19 .. 25	160	5 25		
37963	Same.....	S. $\frac{1}{2}$ SE .....	18 .. ..	80	5 00	500 00	1,240 00
37964	David H. Banta. .	SW .....	19 .. ..	160	5 00	267 00	800 00
37965	Reuben Fellows..	SW .....	27 .. 24	160	4 00	214 00	640 00
37966	J. T. Pifer.....	NW .....	.. .. .	160	3 50	186 00	560 00
37967	Leroy W. Martin..	NE.....	19 .. 25	160	5 25	200 00	840 00
37968	Charles Converse.	E. $\frac{1}{2}$ NW. and W. $\frac{1}{2}$ and NE $\frac{1}{4}$ of NE.	30 .. ..	200	4 25		850 00

37969 *B.—Names of settlers, Nos. of land and price thereof, &c.—Continued.*

37970	Names.	Quarter.	Section. Township. Range.	Number of acres.	Price per acre.	Sum depos- ited.	Total.
37971	Benjamin Win- grove.	SE .....	31 .....	160	4 25	226 66	840 00
37972	Same .....	SW. of SE.....	30 .....	40	4 00		
37973	Samuel McKinney	SW .....	31 .....	160	4 00	213 33	640 00
37974	Squire James Wal- ler.	NE.....	6 17 ..	160	3 30	165 00	523 00
37975	George A. Whitta- ker.	E. $\frac{1}{2}$ .....	27 16 24	320	4 50	480 00	1,440 00
37976	William Smith....	E. $\frac{1}{2}$ SE. and SE. of NE.	28 .....	120	4 00	.....	480 00
37977	Edward Morgan..	N. $\frac{1}{2}$ and SW. $\frac{1}{4}$ of NW., and NW. $\frac{1}{4}$ of SW.	6 17 25	160	4 60	215 00	640 00
37978	Albert Benndorf..	S. $\frac{1}{2}$ NE.....	22 16 24	80	3 50	95 00	280 00
37979	Charles Martin....	NW., S. $\frac{1}{2}$ , and NW. $\frac{1}{4}$ of SW.	1 16 25	280	3 50	.....	980 00
37980	Francis Hastings and William Morgan, jr.	Half .....	23 .. 24	320	4 00	426 66	1,280 00
37981	Joel O. Loveridge, Geo. W. Lover- idge, Alfred Lov- eridge, jointly.	E. $\frac{1}{2}$ and SW. $\frac{1}{4}$ of SW.	4 .....	760	4 00	1,013 33	3,040 00
37982	Isaac Shaw.....	NE.....	1 17 24	160	5 00	250 00	800 00
37983	Jacob Sims.....	SE .....	13 16 24	160	3 50	.....	560 00
37984	Zacheus Hays.....	SW .....	26 16 24	160	3 50	.....	560 00
37985	Town tract*.....	N. $\frac{1}{2}$ .....	31 .. 25	320	4 00	.....	1,280 00
37986	Ambrose Shields..	NE.....	34 16 24	160	3 50	.....	560 00
37937	Anthony Cott.....	SE .....	22 16 24	160	3 00	.....	480 00
37988	Edward Dagenett..	.....	.. 17 25	80	4 00	.....	320 00
37939	Total.....	.....	.....	5,680	.....	5,664 97	22,278 00

37990 The three last-named are half-breed Indians, who will be-  
 37991 come citizens. Said Shields has 5 children, said Cott 3, and  
 37992 Dagenette 2. William Smith, the settler aforesaid, has a half-  
 37993 breed wife and 2 children. He takes said 120 acres in full of the

\* This tract to be conveyed to David Perry and Chas. Sims, on payment of said one thousand two hundred and eighty dollars by June first.

† 19 and 18.

‡ 24 and 13.

- 37994 interest of his family in net proceeds of the reserve, and is to  
 37995 pay one hundred and sixty dollars (\$160) besides.  
 37996 Said Shields, Cott, and Dagenett take their respective tracts  
 37997 at the price stated, in lieu of a like sum of the shares of them-  
 37998 selves and families in the net proceeds of the reserve: *Provided*,  
 37999 That, should the share of either family in the net proceeds of  
 38000 the reserves be less than the price agreed for the land taken by  
 38001 the head of such family, then the deficit to be paid in money as  
 38002 by other settlers. The title in each of the four cases last men-  
 38003 tioned to be made jointly to the various members of the family,  
 38004 by name, whose shares in said proceeds pay for same.  
 38005 Joshua Clayton takes SE.  $\frac{1}{4}$  section 36, township 16, range  
 38006 24, 160 acres, at \$4 per acre, and deposits \$213; total payment,  
 38007 \$640.00.  
 38008 Knoles Shaw, W.  $\frac{1}{2}$  of SE.  $\frac{1}{4}$  section 6, town[ship] 17, range  
 38009 25, 80 acres; has deposited \$94; total payment, \$280.00.  
 38010 Thos. Morgan and John W. Majors take E.  $\frac{1}{2}$  of said quarter,  
 38011 at \$3 per acre; deposited, \$9; total, \$240.00.  
 38012 There is [are] 80 acres untaken, for which a purchaser will  
 38013 be named by the chiefs before 1st June next.  
 38014 Total land disposed of, 6,000 acres.  
 38015 Total money deposited, \$5,970.00.  
 38016 Total amount at prices agreed, 23,438.00.  
 38017 The above lands to be patented to the persons aforesaid, or  
 38018 their representatives, on prompt payment of the price agreed, by  
 38019 1st June, 1867: *Provided*, That if any settler refuse or neglect  
 38020 to pay as aforesaid, then the tract of land by him claimed to be  
 38021 sold under sealed bids.  
 38022 Proclaimed October 14, 1868.

#### 38023 SEVEN NATIONS OF CANADA.

- 38024 *At a treaty held at the city of New York with the nations or tribes*  
 38025 *of Indians denominating themselves the Seven Nations of Can-*  
 38026 *ada, Abraham Ogden, commissioner appointed under the au-*  
 38027 *thority of the United States to hold the treaty; Ohnaweio,*  
 38028 *alias Goodstream, Teharagwanegen, alias Thomas Williams,*  
 38029 *two chiefs of the Caghnawagas; Atiatoharongwan, alias Col-*  
 38030 *onel Lewis Cook, a chief of the St. Regis Indians, and Wil-*  
 38031 *liam Gray, deputies authorized to represent these Seven Na-*  
 38032 *tions or tribes of Indians at the treaty, and Mr. Gray serving*  
 38033 *also as interpreter; Egbert Benson, Richard Varick, and*  
 38034 *James Waston, agents for the State of New York; William*

38035       *Constable and Daniel M'Cormick, purchasers under Alexander*  
 38036       *Macomb.*

38037       The agents for the State having, in the presence and with  
 38038 the approbation of the commissioner, proposed to the deputies  
 38039 for the Indians the compensation hereinafter mentioned for the  
 38040 extinguishment of their claim to all lands within the State, and  
 38041 the said deputies being willing to accept the same, it is there-  
 38042 upon granted, agreed, and concluded between the said deputies  
 38043 and the said agents, as follows : The said deputies do, for and  
 38044 in the name of the said Seven Nations or tribes of Indians, cede,  
 38045 release, and quit-claim to the people of the State of New York,  
 38046 forever, all the claim, right, or title of them, the said Seven  
 38047 Nations or tribes of Indians, to lands within the said State :  
 38048 *Provided, nevertheless,* That the tract equal to six miles square,  
 38049 reserved in the sale made by commissioners of the land-office of  
 38050 the said State to Alexander Macomb, to be applied to the use  
 38051 of the Indians of the village of St. Regis, shall still remain so  
 38052 reserved. The said agents do, for and in the name of the people  
 38053 of the State of New York, grant to the said Seven Nations or  
 38054 tribes of Indians that the people of the State of New York  
 38055 shall pay to them, at the mouth of the river Chazy, on Lake  
 38056 Champlain, on the third Monday in August next, the sum of one  
 38057 thousand two hundred and thirty-three pounds six shillings and  
 38058 eight pence, and the further sum of two hundred and thirteen  
 38059 pounds six shillings and eight pence, lawfull money of the said  
 38060 State, and on the third Monday in August, yearly, forever there-  
 38061 after, the like sum of two hundred and thirteen pounds six  
 38062 shillings and eight pence : *Provided, nevertheless,* That the peo-  
 38063 ple of the State of New York shall not be held to pay the said  
 38064 sums, unless in respect to the two sums to be paid on the  
 38065 third Monday in August next, at least twenty, and in re-  
 38066 spect to the said yearly sum to be paid thereafter, at least  
 38067 five of the principal men of the said Seven Nations or tribes  
 38068 of Indians shall attend as deputies to receive and give receipts  
 38069 for the same. The said deputies having suggested that  
 38070 the Indians of the village of St. Regis have built a mill on  
 38071 Salmon River, and another on Grass River, and that the mead-  
 38072 ows on Grass River are necessary to them for hay, in order,  
 38073 therefore, to secure to the Indians of said village the use of the  
 38074 said mills and meadows, in case they should hereafter appear  
 38075 not to be included within the above tract so to remain reserved,  
 38076 it is, therefore, also agreed and concluded between the said  
 38077 deputies, the said agents, and the said William Constable and  
 38078 Daniel M'Cormick, for themselves and their associates, pur-  
 38079 chasers under the said Alexander Macomb, of the adjacent lands,

- 38080 that there shall be reserved, to be applied to the use of the In-  
 38081 dians of the said village of St. Regis, in like manner as the said  
 38082 tract is to remain reserved, a tract of one mile square at each of  
 38083 the said mills, and the meadows on both sides of the said Grass  
 38084 River from the said mill thereon to its confluence with the river  
 38085 St. Lawrence.  
 38086 Ratified January 31, 1797.

38087

## SIOUX—YANKTON TRIBE.

- 38088 *A treaty of peace and friendship made and concluded between Wil-*  
 38089 *liam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 38090 *sioners plenipotentiary of the United States of America, on the*  
 38091 *part and behalf of the said States, of the one part, and the*  
 38092 *undersigned chiefs and warriors of the Yankton tribe of Indi-*  
 38093 *ans, on the part and behalf of their said tribe, of the other part.*

- 38094 The parties being desirous of re establishing peace and  
 38095 friendship between the United States and the said tribe, and of  
 38096 being placed, in all things and in every respect, on the same  
 38097 footing upon which they stood before the late war between the  
 38098 United States and Great Britain, have agreed to the following  
 38099 articles:

- 38100 ARTICLE 1. Every injury or act of hostility committed by  
 38101 one or either of the contracting parties against the other, shall  
 38102 be mutually forgiven and forgot.

- 38103 ARTICLE 2. There shall be perpetual peace and friendship  
 38104 between all the citizens of the United States of America and all  
 38105 the individuals composing the said Yankton tribe, and all the  
 38106 friendly relations that existed between them before the war shall  
 38107 be, and the same are hereby, renewed.

- 38108 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 38109 selves and their said tribe, do hereby acknowledge themselves to  
 38110 be under the protection of the United States of America, and  
 38111 of no other nation, power, or sovereign whatsoever.

- 38112 Proclaimed July 19, 1815.

- 38113 *Articles of a treaty made at the city of Washington, between Carey*  
 38114 *A. Harris, thereto specially authorised by the President of the*  
 38115 *United States, and the Yankton tribe of Sioux Indians, by their*  
 38116 *chiefs and delegates.*

- 38117 ARTICLE 1. The Yankton tribe of Sioux Indians cede to the  
 38118 United States all the right and interest in the land ceded by the

38119 treaty concluded with them and other tribes on the fifteenth of  
 38120 July, 1830, (proclaimed February 24, 1831,) which they might  
 38121 be entitled to claim by virtue of the phraseology employed in  
 38122 the second article of said treaty.

38123 ARTICLE 2. In consideration of the cession contained in the  
 38124 preceding article, the United States stipulate to pay them four  
 38125 thousand dollars, (\$4,000.) It is understood and agreed that  
 38126 fifteen hundred dollars (\$1,500) of this sum shall be expended in  
 38127 the purchase of horses and presents, upon the arrival of the  
 38128 chiefs and delegates at St. Louis; two thousand dollars (\$2,000)  
 38129 delivered to them in goods, at the expense of the United States,  
 38130 at the time their annuities are delivered next year; and five  
 38131 hundred dollars (\$500) be applied to defray the expense of re-  
 38132 moving the agency building and blacksmith's shop from their  
 38133 present site.

38134 ARTICLE 3. The expenses of this negotiation and of the  
 38135 chiefs and delegates signing this treaty to this city and to their  
 38136 homes to be paid by the United States.

38137 ARTICLE 4. This treaty to be binding upon the contracting  
 38138 parties when the same shall be ratified by the United States.

38139 Proclaimed February 21, 1838.

38140 *Treaty between the United States of America and the Yancton tribe*  
 38141 *of Sioux or Dacotah Indians, concluded at Washington April*  
 38142 *19, 1858; ratified by the Senate February 16, 1859.*

38143 JAMES BUCHANAN, President of the United States of America,  
 38144 to all and singular to whom these presents shall come,  
 38145 greeting:

38146 Whereas a treaty was made and concluded at the city of  
 38147 Washington on the nineteenth day of April, one thousand eight  
 38148 hundred and fifty-eight, by Charles E. Mix, as a commissioner on  
 38149 the part of the United States, and the following-named chiefs  
 38150 and delegates of the Yancton tribe of Sioux or Dacotah Indians,  
 38151 viz:

38152 Pa-la-ne-a-pa-pe, the man that was struck by the Ree.

38153 Ma-to-sa-be-che-a, the smutty bear.

38154 Charles F. Picotte, Et-ke-cha.

38155 Ta-ton-ka-wete-co, the crazy bull.

38156 Pse-cha-wa-kea, the jumping thunder.

38157 Ma-ra-ha-ton, the iron horn.

38158 Nombe-kah-pah, one that knocks down two.

38159 Ta-ton-ka-e-yah-ka, the fast bull.

38160 A-ha-ka-ma-ne, the walking elk.

38161 A-ha-ka-na-zhe, the standing elk.

38162 A-ha-ka-ho-che-cha, the elk with a bad voice.

- 38163 Cha-ton-wo-ka-pa, the grabbing hawk.  
 38164 E-ha-we-cha-sha, the owl man.  
 38165 Pla-son-wa-kan-na-ge, the white medicine cow that stands.  
 38166 Ma-ga-scha-che-ka, the little white swan.  
 38167 Oke-che-la-wash-ta, the pretty boy.  
 38168 They being thereto duly authorized by said tribe, which  
 38169 treaty is in the following words, to wit:  
 38170 Articles of agreement and convention made and concluded at  
 38171 the city of Washington, this nineteenth day of April, A. D.  
 38172 one thousand eight hundred and fifty-eight, by Charles E.  
 38173 Mix, commissioner on the part of the United States, and the  
 38174 following-named chiefs and delegates of the Yancton tribe  
 38175 of Sioux or Dacotah Indians, viz :  
 38176 Pa-la-ne-a-pa-pe, the man that was struck by the Ree.  
 38177 Ma-to-sa-be-che-a, the smutty bear.  
 38178 Charles F. Picotte, Eta-ke-cha.  
 38179 Ta-ton-ka-wete-co, the crazy bull.  
 38180 Pse-cha-wa-kea, the jumping thunder.  
 38181 Ma ra-ha-ton, the iron horn.  
 38182 Nombe-kah-pah, one that knocks down two.  
 38183 Ta-ton-ka-e-yah-ka, the fast bull.  
 38184 A-ha-ka-ma-ne, the walking elk.  
 38185 A-ha-ka-na-zhe, the standing elk.  
 38186 A-ha-ka-ho-che-cha, the elk with a bad voice.  
 38187 Cha-ton-wo-ka-pa, the grabbing hawk.  
 38188 E-ha-we-cha-sha, the owl man.  
 38189 Pla-son-wa-kan-na-ge, the white medicine cow that stands.  
 38190 Ma-ga-scha-che-ka, the little white swan.  
 38191 Oke-che-la-wash-ta, the pretty boy.  
 38192 (The three last names signed by their duly-authorized  
 38193 agent and representative, Charles F. Picotte,) they being thereto  
 38194 duly authorized and empowered by said tribe of Indians.  
 38195 ARTICLE 1. The said chiefs and delegates of said tribe of  
 38196 Indians do hereby cede and relinquish to the United States all  
 38197 the lands now owned, possessed, or claimed by them wherever  
 38198 situated, except four hundred thousand acres thereof situated  
 38199 and described as follows, to wit: Beginning at the mouth of the  
 38200 Naw-izi-wa-koo-pah or Chouteau River and extending up the  
 38201 Missouri River thirty miles; thence due north to a point;  
 38202 thence easterly to a point on the said Chouteau River; thence  
 38203 down said river to the place of beginning, so as to include the  
 38204 said quantity of four hundred thousand acres. They also  
 38205 hereby relinquish and abandon all claims and complaints about  
 38206 or growing out of any and all treaties heretofore made by them  
 38207 or other Indians, except their annuity rights under the treaty of  
 38208 Laramie of September 17, A. D. 1851.

38209 N. B.—This treaty of Laramie is understood not to have been  
38210 ratified, and is not in print; it is given at the end of the volume.

38211 ARTICLE 2. The land so ceded and relinquished by the  
38212 said chiefs and delegates of the said tribe of Yanctons is  
38213 and shall be known and described as follows, to wit:

38214 "Beginning at the mouth of the Tehan-kas-au-data or  
38215 Calumet or Big Sioux River; thence up the Missouri River  
38216 to the mouth of the Pa-hah-wa-kan or East Medicine Knoll  
38217 River; thence up said river to its head; thence in a direc-  
38218 tion to the head of the main fork of the Wan-dush-kah-for or  
38219 Snake River; thence down said river to its junction with the  
38220 Tehan-san-san or Jaques or James River; thence in a direct  
38221 line to the northern point of Lake Kampeska; thence along the  
38222 northern shore of said lake and its outlet to the junction of  
38223 said outlet with the said Big Sioux River; thence down the  
38224 Big Sioux River to its junction with the Missouri River."

38225 And they also cede and relinquish to the United States all  
38226 their right and title to and in all the islands of the Missouri  
38227 River, from the mouth of the Big Sioux to the mouth of the  
38228 Medicine Knoll River.

38229 And the said chiefs and delegates hereby stipulate and agree  
38230 that all the lands embraced in said limits are their own, and  
38231 that they have full and exclusive right to cede and relinquish  
38232 the same to the United States.

38233 ARTICLE 3. The said chiefs and delegates hereby further  
38234 stipulate and agree that the United States may construct and  
38235 use such roads as may be hereafter necessary across their said res-  
38236 ervation by the consent and permission of the Secretary of the In-  
38237 terior, and by first paying the said Indians all damages and the  
38238 fair value of the land so used for said road or roads, which said  
38239 damages and value shall be determined in such manner as the  
38240 Secretary of the Interior may direct. And the said Yanctons  
38241 hereby agree to *remove* and *settle* and *reside* on said reservation  
38242 within one year from this date, and, until they do so remove,  
38243 (if within said year,) the United States guarantee them in the  
38244 quiet and undisturbed possession of their present settlements.

38245 ARTICLE 4. In consideration of the foregoing cession, relin-  
38246 quishment, and agreements, the United States do hereby agree  
38247 and stipulate as follows, to wit:

38248 1st. To protect the said Yanctons in the quiet and peaceable  
38249 possession of the said tract of four hundred thousand acres of  
38250 land so reserved for their future home, and also their persons  
38251 and property thereon during good behavior on their part.

38252 2d. To pay to them, or expend for their benefit, the sum of  
38253 sixty-five thousand dollars per annum, for ten years, commenc-  
38254 ing with the year in which they shall remove to and settle and

33255 reside upon their said reservation; forty thousand dollars per  
 38256 annum for and during ten years thereafter; twenty-five thou-  
 38257 sand dollars per annum for and during ten years thereafter;  
 38258 and fifteen thousand dollars per annum for and during twenty  
 38259 years thereafter; making *one million and six hundred thousand*  
 38260 *dollars in annuities in the period of fifty years*, of which sums the  
 38261 President of the United States shall, from time to time, deter-  
 38262 mine what proportion shall be paid to said Indians in cash,  
 38263 and what proportion shall be expended for their benefit, and also  
 38264 in what manner and for what objects such expenditure shall be  
 38265 made, due regard being had in making such determination to  
 38266 the best interests of said Indians. He shall likewise exercise  
 38267 the power to make such provision out of said sums as he  
 38268 may deem to be necessary and proper for the support and com-  
 38269 fort of the aged or infirm and helpless orphans of the said  
 38270 Indians. In case of any material decrease of said Indians in  
 38271 number the said amounts may, in the discretion of the Presi-  
 38272 dent of the United States, be diminished and reduced in propor-  
 38273 tion thereto; or they may, at the discretion of the President of  
 38274 the United States, be discontinued entirely, should said Indians  
 38275 fail to make reasonable and satisfactory efforts to advance and  
 38276 improve their condition, in which case such other provisions  
 38277 shall be made for them as the President and Congress may  
 38278 judge to be suitable and proper.

38279 3d. In addition to the foregoing sum of one million and six  
 38280 hundred thousand dollars as annuities to be paid to or ex-  
 38281 pended for the benefit of said Indians during the period of fifty  
 38282 years, as before stated, the United States hereby stipulate and  
 38283 agree to expend for their benefit the sum of fifty thousand dol-  
 38284 lars more, as follows, to wit: Twenty-five thousand dollars in  
 38285 maintaining and subsisting the said Indians during the first year  
 38286 after their removal to and permanent settlement upon their said  
 38287 reservation, in the purchase of stock, agricultural implements, or  
 38288 other articles of a beneficial character, and in breaking up and  
 38289 fencing land; in the erection of houses, store-houses, or other  
 38290 needful buildings, or in making such other improvements as  
 38291 may be necessary for their comfort and welfare.

38292 4th. To expend ten thousand dollars to build a school-house  
 38293 or school-houses, and to establish and maintain one or more  
 38294 normal-labor schools (so far as said sum will go) for the educa-  
 38295 tion and training of the children of said Indians in letters, agri-  
 38296 culture, the mechanics arts, and housewifery, which school or  
 38297 schools shall be managed and conducted in such manner as the  
 38298 Secretary of the Interior shall direct. The said Indians hereby  
 38299 stipulating to keep constantly thereat during at least nine months  
 38300 in the year, all their children between the ages of seven and eight-

38301 een years; and if any of the parents, or others having the care of  
 38302 children, shall refuse or neglect to send them to school, such  
 38303 parts of their annuities as the Secretary of the Interior may  
 38304 direct, shall be withheld from them and applied as he may deem  
 38305 just and proper; and such further sum, in addition to the said  
 38306 ten thousand dollars, as shall be deemed necessary and proper  
 38307 by the President of the United States, shall be reserved and  
 38308 taken from their said annuities and applied annually during  
 38309 the pleasure of the President to the support of said schools, and  
 38310 to furnish said Indians with assistance and aid and instruction  
 38311 in agricultural and mechanical pursuits, including the working  
 38312 of the mills, hereafter mentioned, as the Secretary of the Inte-  
 38313 rior may consider necessary and advantageous for said Indians;  
 38314 and all instruction in reading shall be in the English language.  
 38315 And the said Indians hereby stipulate to furnish from amongst  
 38316 themselves the number of young men that may be required as ap-  
 38317 prentices and assistants in the mills and mechanic shops, and at  
 38318 least three persons to work constantly with each white laborer em-  
 38319 ployed for them in agriculture and mechanical pursuits, it being  
 38320 understood that such white laborers and assistants as may be  
 38321 so employed *are* thus employed more for the instruction of the  
 38322 said Indians than merely to work for their benefit; and that  
 38323 the laborers so to be furnished by the Indians may be allowed  
 38324 a fair and just compensation for their services, to be fixed by  
 38325 the Secretary of the Interior, and to be paid out of the shares  
 38326 of annuity of such Indians as are able to work but refuse or  
 38327 neglect to do so. And whenever the President of the United  
 38328 States shall become satisfied of a failure on the part of said In-  
 38329 dians to fulfil the aforesaid stipulations he may, at his discre-  
 38330 tion, discontinue the allowance and expenditure of the sums so  
 38331 provided and set apart for said school or schools and assistance  
 38332 and instruction.

38333 5th. To provide the said Indians with a mill suitable for  
 38334 grinding grain and sawing timber; one or more mechanic shops;  
 38335 with the necessary tools for the same; and dwelling-houses for  
 38336 an interpreter, miller, engineer for the mill, (if one be necessary,)  
 38337 a farmer, and the mechanics that may be employed for their  
 38338 benefit, and to expend therefor a sum not exceeding fifteen thou-  
 38339 sand dollars.

38340 ARTICLE 5. Said Indians further stipulate and bind them-  
 38341 selves to prevent any of the members of their tribe from destroy-  
 38342 ing or injuring the said houses, shops, mills, machinery, stock,  
 38343 farming-utensils, or any other thing furnished them by the Gov-  
 38344 ernment, and in case of any such destruction or injury of any of  
 38345 the things so furnished, or their being carried off by any member  
 38346 or members of their tribe, the value of the same shall be deducted

38347 from their general annuity; and whenever the Secretary of the  
 38348 Interior shall be satisfied that said Indians have become suffi-  
 38349 ciently confirmed in habits of industry and advanced in the ac-  
 38350 quisition of a practical knowledge of agriculture and the mechanic  
 38351 arts to provide for themselves, he may, at his discretion, cause  
 38352 to be turned over to them all of the said houses and other prop-  
 38353 erty furnished them by the United States, and dispense with the  
 38354 services of any or all persons hereinbefore stipulated to be em-  
 38355 ployed for their benefit, assistance, and instruction.

38356 ARTICLE 6. It is hereby agreed and understood that the  
 38357 chiefs and head-men of said tribe may, at their discretion, in open  
 38358 council, authorize to be paid *out of their said annuities* such a sum  
 38359 or sums as may be found to be necessary and proper, not exceeding  
 38360 in the aggregate one hundred and fifty thousand dollars, to satisfy  
 38361 their just debts and obligations, and to provide for such of their  
 38362 half-breed relations as do not live with them, or draw any part of  
 38363 the said annuities of said Indians: *Provided, however,* That their  
 38364 said determinations shall be approved by their agent for the time  
 38365 being and the said payments authorized by the Secretary of the  
 38366 Interior: *Provided, also,* That there shall not be so paid out of  
 38367 their said annuities in any one year a sum exceeding fifteen  
 38368 thousand dollars.

38369 ARTICLE 7. On account of their valuable services and lib-  
 38370 erality to the Yanctons, there shall be granted in fee to Charles  
 38371 F. Picotte and Zephyr Rencontre, each, one section of six hun-  
 38372 dred and forty acres of land; and to Paul Dorian one-half a sec-  
 38373 tion; and to the half-breed Yancton, wife of Charles Reulo, and  
 38374 her two sisters, the wives of Eli Bedaud and Augustus Traverse,  
 38375 and to Louis Le Count, each, one-half a section. The said grants  
 38376 shall be selected in said ceded territory, and shall not be within  
 38377 said reservation, nor shall they interfere in any way with the  
 38378 improvements of such persons as are on the lands ceded above  
 38379 by authority of law; and all other persons (other than Indians  
 38380 or mixed-bloods) who are now residing within said ceded coun-  
 38381 try, by authority of law, shall have the privilege of entering  
 38382 one hundred and sixty acres thereof, to include each of their  
 38383 residences or improvements, at the rate of one dollar and  
 38384 twenty-five cents per acre.

38385 ARTICLE 8. The said Yancton Indians shall be secured in  
 38386 the free and unrestricted use of the red pipe-stone quarry, or  
 38387 so much thereof as they have been accustomed to frequent and  
 38388 use for the purpose of procuring stone for pipes; and the United  
 38389 States hereby stipulate and agree to cause to be surveyed and  
 38390 marked so much thereof as shall be necessary and proper for  
 38391 that purpose, and retain the same and keep it open and free to

38392 the Indians to visit and procure stone for pipes so long as they  
38393 shall desire.

38394 ARTICLE 9. The United States shall have the right to estab-  
38395 lish and maintain such military posts, roads, and Indian agen-  
38396 cies as may be deemed necessary within the tract of country  
38397 herein reserved for the use of the Yanctons; but no greater  
38398 quantity of land or timber shall be used for said purposes than  
38399 shall be actually requisite; and if, in the establishment or  
38400 maintenance of such posts, roads, and agencies the property of  
38401 any Yancton shall be taken, injured, or destroyed, just and  
38402 adequate compensation shall be made therefor by the United  
38403 States.

38404 ARTICLE 10. No white person, unless in the employment of  
38405 the United States, or duly licensed to trade with the Yanctons,  
38406 or members of the families of such persons, shall be permitted  
38407 to reside or make any settlement upon any part of the tract  
38408 herein reserved for said Indians, nor shall said Indians alienate,  
38409 sell, or in any manner dispose of any portion thereof except to  
38410 the United States. Whenever the Secretary of the Interior shall  
38411 direct, said tract shall be surveyed and divided as he shall think  
38412 proper among said Indians, so as to give to each head of a fam-  
38413 ily or single person a separate farm, with such rights of posses-  
38414 sion or transfer to any other member of the tribe or of descent  
38415 to their heirs and representatives as he may deem just.

38416 ARTICLE 11. The Yanctons acknowledge their dependence  
38417 upon the Government of the United States, and do hereby  
38418 pledge and bind themselves to preserve friendly relations with  
38419 the citizens thereof, and to commit no injuries or depredations  
38420 on their persons or property, nor on those of members of any  
38421 other tribe or nation of *of* Indians; and in case of any such in-  
38422 juries or depredations by said Yanctons, full compensation  
38423 shall, as far as possible, be made therefor out of their tribal an-  
38424 nuities, the amount in all cases to be determined by the Secre-  
38425 tary of the Interior. They further pledge themselves not to  
38426 engage in hostilities with any other tribe or nation, unless in  
38427 self-defence, but to submit, through their agent, all matters of  
38428 dispute and difficulty between themselves and other Indians for  
38429 the decision of the President of the United States, and to acqui-  
38430 esce in and abide thereby. They also agree to deliver to the  
38431 proper officer of the United States all offenders against the  
38432 treaties, laws, or regulations of the United States, and to assist  
38433 in discovering, pursuing, and capturing all such offenders who  
38434 may be within the limits of their reservation whenever required  
38435 to do so by such officer.

38436 ARTICLE 12. To aid in preventing the evils of intemperance,  
38437 it is hereby stipulated that if any of the Yanctons shall drink,

38438 or procure for others, intoxicating liquor, their proportion of the  
 38439 tribal annuities shall be withheld from them for at least one year ;  
 38440 and for a violation of any of the stipulations of this agreement  
 38441 on the part of the Yanctons, they shall be liable to have their  
 38442 annuities withheld, in whole or in part, and for such length of  
 38443 time as the President of the United States shall direct.

38444 ARTICLE 13. No part of the annuities of the Yanctons shall  
 38445 be taken to pay any debts, claims, or demands against them,  
 38446 except such existing claims and demands as have been herein  
 38447 provided for, and except such as may arise under this agree-  
 38448 ment, or under the trade and intercourse laws of the United  
 38449 States.

38450 ARTICLE 14. The said Yanctons do hereby fully acquit and  
 38451 release the United States from all demands against them on the  
 38452 part of said tribe, or any individual thereof, except the before-  
 38453 mentioned right of the Yanctons to receive an annuity under  
 38454 said treaty of Laramie, and except, also, such as are herein stip-  
 38455 ulated and provided for.

38456 ARTICLE 15. For the special benefit of the Yanctons, parties  
 38457 to this agreement, the United States agree to appoint an agent  
 38458 for them, who shall reside on their said reservation, and shall  
 38459 have set apart for his sole use and occupation, at such a point  
 38460 as the Secretary of the Interior may direct, one hundred and  
 38461 sixty acres of land.

38462 ARTICLE 16. All the expenses of the making of this agree-  
 38463 ment, and of surveying the said Yancton reservation, and of  
 38464 surveying and marking said pipe-stone quarry, shall be paid by  
 38465 the United States.

38466 ARTICLE 17. This instrument shall take effect and be obli-  
 38467 gatory upon the contracting parties whenever ratified by the  
 38468 Senate and the President of the United States.

38469 Proclaimed February 26, 1859.

#### 38470 SIOUX—YANKTONAI BAND.

38471 *Treaty between the United States of America and the Yanktonai*  
 38472 *band of Dakota or Sioux Indians, concluded October 20, 1865 ;*  
 38473 *ratification advised, with amendment, March 5, 1866.*

38474 ANDREW JOHNSON, President of the United States of America,  
 38475 to all and singular to whom these presents shall come,  
 38476 greeting:

38477 Whereas a treaty was made and concluded at Fort Sully,  
 38478 in the Territory of Dakota, on the twentieth day of October, in

38479 the year of our Lord one thousand eight hundred and sixty-five,  
 38480 by and between Newton Edmunds, Edward B. Taylor, Major-  
 38481 General S. R. Curtis, Brigadier-General H. H. Sibley, Henry  
 38482 W. Reed, and Orrin Guernsey, commissioners on the part of  
 38483 the United States, and M'Doka, (the Buck,) Mah-to-wak-kouah,  
 38484 (He that runs the Bear,) and other chiefs and head-men of the  
 38485 Yanktonai band of Dakota or Sioux Indians, on the part of said  
 38486 band of Indians, and duly authorized thereto by them, which  
 38487 treaty is in the words and figures following, to wit:

38488 Articles of a treaty made and concluded at Fort Sully, in the  
 38489 Territory of Dakota, by and between Newton Edmunds,  
 38490 governor and ex-officio superintendent of Indian affairs of  
 38491 Dakota Territory, Edward B. Taylor, superintendent of In-  
 38492 dian affairs for the northern superintendency, Major-General  
 38493 S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 38494 Reed, and Orrin Guernsey, commissioners on the part of  
 38495 the United States, duly appointed by the President, and  
 38496 the undersigned chiefs and head-men of the Yanktonai band  
 38497 of Dakota or Sioux Indians.

38498 ARTICLE 1. The Yanktonai band of Dakota or Sioux In-  
 38499 dians, represented in council, hereby acknowledge themselves  
 38500 to be subject to the exclusive jurisdiction and authority of the  
 38501 United States, and hereby obligate and bind themselves, indi-  
 38502 vidualy and collectively, not only to cease all hostilities against  
 38503 the persons and property of its citizens, but to use their influ-  
 38504 ence, and, if requisite, physical force, to prevent other bands  
 38505 of Dakota Indians, or other adjacent tribes, from making hostile  
 38506 demonstrations against the Government or people of the United  
 38507 States.

38508 ARTICLE 2. Inasmuch as the Government of the United  
 38509 States is desirous to arrest the effusion of blood between the  
 38510 Indian tribes within its jurisdiction hitherto at war with each  
 38511 other, the Yanktonai band of Dakota or Sioux Indians, repre-  
 38512 sented in council, anxious to respect the wishes of the Govern-  
 38513 ment, hereby agree to discontinue for the future all attacks upon  
 38514 the persons or property of other tribes, unless first attacked by  
 38515 them, and to use their influence to promote peace everywhere in  
 38516 the region occupied or frequented by them.

38517 ARTICLE 3. All controversies or differences arising between  
 38518 the Yanktonai band of Dakota or Sioux Indians, represented in  
 38519 council, and other tribes of Indians, involving the question of  
 38520 peace or war, shall be submitted for the arbitrament of the  
 38521 President, or such person or persons as may be designated by  
 38522 him, and the decision or award shall be faithfully observed by  
 38523 the said band represented in council.

38524 ARTICLE 4. The said band, represented in council, shall

38525 withdraw from the routes overland already established, or here-  
 38526 after to be established, through their country; and, in considera-  
 38527 tion thereof, the Government of the United States agree to pay  
 38528 the said band the sum of thirty dollars for each lodge or family,  
 38529 annually, for twenty years, in such articles as the Secretary of  
 38530 the Interior may direct: *Provided*, That said band, so repre-  
 38531 sented in council, shall faithfully conform to the requirements of  
 38532 this treaty.

38533 ARTICLE 5. Should any individual or individuals, or portion  
 38534 of the band of the Yanktonai band of Dakota or Sioux Indians,  
 38535 represented in council, desire hereafter to locate permanently  
 38536 upon any land claimed by said band for the purposes of agricul-  
 38537 tural or other similar pursuits, it is hereby agreed by the parties  
 38538 to *this* treaty that such individuals shall be protected in such  
 38539 location against any annoyance or molestation on the part of  
 38540 whites or Indians; and whenever twenty lodges or families of  
 38541 the Yanktonai band shall have located on lands for agricultural  
 38542 purposes, and signified the same to their agents or superintend-  
 38543 ent, they, as well as other families so locating, shall receive the  
 38544 sum of twenty-five dollars, annually, for five years, for each  
 38545 family, in agricultural implements and improvements; and when  
 38546 one hundred lodges or families shall have so engaged in agricul-  
 38547 tural pursuits they shall be entitled to a farmer and blacksmith,  
 38548 at the expense of the Government, as also teachers, at the  
 38549 option of the Secretary of the Interior, whenever deemed neces-  
 38550 sary.

38551 ARTICLE 6. Any amendment or modification of this treaty  
 38552 by the Senate of the United States shall be considered final and  
 38553 binding upon the said band, represented in council, as a part of  
 38554 this treaty, in the same manner as if it had been subsequently  
 38555 presented and agreed to by the chiefs and head-men of said  
 38556 band.

38557 Proclaimed March 17, 1866.

38558 SIOUX—UPPER YANKTONAI BAND.

38559 *Treaty between the United States of America and the Upper Yank-*  
 38560 *tonais band of Dakota or Sioux Indians, concluded October*  
 38561 *28, 1865; ratification advised, with amendment, March 5, 1866;*  
 38562 *proclaimed March 17, 1866.*

38563 ANDREW JOHNSON, President of the United States of  
 38564 America, to all and singular to whom these presents shall come,  
 38565 greeting:

38566 Whereas a treaty was made and concluded at Fort Sully, in

the Territory of Dakota, on the twenty-eighth day of October, in the year of our Lord one thousand eight hundred and sixty-five, by and between Newton Edmunds, Edward B. Taylor, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, and Na-su-la-tan-ka, (Big Head,) Na-pa-tan-ka, (Big Hand,) and other chiefs and head-men of the Upper Yanktonais band of Dakota or Sioux Indians, on the part of said band of Indians, and duly authorized thereto by them, which treaty is in the words and figures following, to wit :

Articles of a treaty made and concluded at Fort Sully, in the Territory of Dakota, by and between Newton Edmunds, governor and ex-officio superintendent of Indian affairs of Dakota Territory, Edward B. Taylor, superintendent of Indian affairs for the northern superintendency, Major-General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed, and Orrin Guernsey, commissioners on the part of the United States, duly appointed by the President and the undersigned chiefs and head-men of the Upper Yanktonais band of Dakota or Sioux Indians.

ARTICLE 1. The Upper Yanktonais band of Dakota or Sioux Indians, represented in council, hereby acknowledge themselves to be subject to the exclusive jurisdiction and authority of the United States, and hereby obligate and bind themselves individually and collectively not only to cease all hostilities against the persons and property of its citizens, but to use their influence, and, if necessary, physical force, to prevent other bands of the Dakota Indians, or other adjacent tribes, from making hostile demonstrations against the Government or people of the United States.

ARTICLE 2. Inasmuch as the Government of the United States is desirous to arrest the effusion of blood between the Indian tribes within its jurisdiction hitherto at war with each other, the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, anxious to respect the wishes of the Government, hereby agree to discontinue for the future all attacks upon the persons or property of other tribes, unless first attacked by them, and to use their influence to promote peace everywhere in the region occupied or frequented by them.

ARTICLE 3. All controversies or differences arising between the Upper Yanktonais band of Dakota or Sioux Indians, represented in council, and other tribes of Indians, involving the question of peace or war, shall be submitted for the arbitrament of the President, or such person or persons as may be designated by him, and the decision or award faithfully observed by the said band represented in council.

38613. ARTICLE 4. The said band represented in council shall with-  
 38614 draw from the routes overland already established, or hereafter  
 38615 to be established, through their country; and in consideration  
 38616 thereof, and of their non-interference with the persons and pro-  
 38617 perty of citizens of the United States travelling thereon, the  
 38618 Government of the United States agree to pay the said band the  
 38619 sum of ten thousand dollars, annually, for twenty years, in such  
 38620 articles as the Secretary of the Interior may direct: *Provided*,  
 38621 That said band so represented in council shall faithfully conform  
 38622 to the requirements of this treaty.

38623 ARTICLE 5. Should any individual or individuals, or portion  
 38624 of the band of the Upper Yanktonais band of Dakota or Sioux  
 38625 Indians, represented in council, desire hereafter to locate per-  
 38626 manently upon any land claimed by said band for the purposes of  
 38627 agricultural or other similar pursuits, it is hereby agreed by the  
 38628 parties to this treaty that said individuals shall be protected in  
 38629 such location against any annoyance or molestation on the part  
 38630 of whites or Indians; and whenever twenty lodges or families of  
 38631 the Upper Yanktonais band shall have located on land for agri-  
 38632 cultural purposes, and signified the same to their agent or super-  
 38633 intendent, they, as well as other families so locating, shall receive  
 38634 the sum of twenty-five dollars annually, for five years, for each  
 38635 family, in agricultural implements and improvements; and when  
 38636 one hundred lodges or families shall have so engaged in agricul-  
 38637 tural pursuits they shall be entitled to a farmer and blacksmith,  
 38638 at the expense of the Government, as also teachers, at the option  
 38639 of the Secretary of the Interior, w[h]enever deemed necessary.

38640 ARTICLE 6. Any amendment or modification of this treaty  
 38641 by the Senate of the United States shall be considered final and  
 38642 binding upon the said band, represented in council, as a part of  
 38643 this treaty, in the same manner as if it had been subsequently  
 38644 presented and agreed to by the chiefs and head-men of said band.

38645 Proclaimed March 17, 1868.

# 38646 SIOUX—YANKTONS, TÉTONS, AND YANCTONIES 38647 BANDS.

38648 *Treaty with the Téton, Yancton, and Yanctonies bands of the Sioux*  
 38649 *tribe of Indians.*

38650 For the purposes of perpetuating the friendship which has  
 38651 heretofore existed, as also to remove all future cause of discus-  
 38652 sion or dissention, as it respects trade and friendship between  
 38653 the United States and their citizens, and the Téton, Yancton,  
 38654 and Yanctonies bands of the Sioux tribe of Indians, the Presi-

38655 dent of the United States of America, by Brigadier-General  
 38656 Henry Atkinson, of the United States Army, and Major Benja-  
 38657 min O'Fallon, Indian agent, with full powers and authority,  
 38658 specially appointed and commissioned for that purpose, of the  
 38659 one part, and the undersigned chiefs, head-men, and warriors of  
 38660 the Téton, Yancton, and Yanctonies band of the Sioux tribe of In-  
 38661 dians, on behalf of said bands or tribe, of the other part, have  
 38662 made and entered into the following articles and conditions,  
 38663 which, when ratified by the President of the United States, by  
 38664 and with the advice and consent of the Senate, shall be binding  
 38665 on both parties, to wit:

38666 ARTICLE 1. It is admitted by the Téton, Yancton, and  
 38667 Yanctonies band of Sioux Indians, that they reside within the  
 38668 territorial limits of the United States, acknowledge their suprem-  
 38669 acy, and claim their protection. The said bands also admit  
 38670 the right of the United States to regulate all trade and inter-  
 38671 course with them.

38672 ARTICLE 2. The United States agree to receive the said  
 38673 Téton, Yancton, and Yanctonies bands of Sioux Indians into  
 38674 their friendship, and under their protection, and to extend to  
 38675 them, from time to time, such benefits and acts of kindness as  
 38676 may be convenient, and seem just and proper to the President  
 38677 of the United States.

38678 ARTICLE 3. All the trade and intercourse with the Téton,  
 38679 Yancton, and Yanctonies bands shall be transacted at such  
 38680 place or places as may be designated and pointed out by the Pres-  
 38681 ident of the United States, through his agents; and none but  
 38682 American citizens, duly authorized by the United States, shall  
 38683 be admitted to trade or hold intercourse with said bands of In-  
 38684 dians.

38685 ARTICLE 4. That the Téton, Yancton, and Yanctonies bands  
 38686 may be accommodated with such articles of merchandize, &c.,  
 38687 as their necessities may demand, the United States agree to ad-  
 38688 mit and license traders to hold intercourse with said tribes or  
 38689 bands, under mild and equitable regulations; in consideration  
 38690 of which, the Téton, Yancton, and Yanctonies bands bind them-  
 38691 selves to extend protection to the persons and property of the  
 38692 traders, and the persons legally employed under them, whilst  
 38693 they remain within the limits of their particular district of  
 38694 country. And the said Téton, Yancton, and Yanctonies bands  
 38695 further agree, that if any foreigner or other person not legally  
 38696 authorized by the United States, shall come into their district  
 38697 of country for the purposes of trade or other views, they will ap-  
 38698 prehend such person or persons, and deliver him or them to  
 38699 some United States superintendent or agent of Indian affairs, or  
 38700 to the nearest military post, to be dealt with according to law.

38701 And they further agree to give safe conduct to all persons who  
 38702 may be legally authorized by the United States to pass through  
 38703 their country; and to protect, in their persons and property, all  
 38704 agents or other persons sent by the United States to reside tem-  
 38705 porarily among them.

38706 ARTICLE 5. That the friendship which is now established  
 38707 between the United States and the Téton, Yanc-ton, and Yanc-  
 38708 tonies bands should not be interrupted by the misconduct of  
 38709 individuals, it is hereby agreed that for injuries done by  
 38710 individuals, no private revenge or retaliation shall take place,  
 38711 but instead thereof, complaints shall be made by the party in-  
 38712 jured to the superintendent or agent of Indian affairs, or other  
 38713 person appointed by the President; and it shall be the duty of  
 38714 the said chiefs, upon complaint being made as aforesaid, to  
 38715 deliver up the person or persons against whom the complaint is  
 38716 made, to the end that he or they may be punished agreeably to  
 38717 the laws of the United States. And, in like manner, if any  
 38718 robbery, violence, or murder, shall be committed on any Indian  
 38719 or Indians belonging to said bands, the person or persons so  
 38720 offending shall be tried, and, if found guilty, shall be punished  
 38721 in like manner as if the injury had been done to a white man.  
 38722 And it is agreed that the chiefs of the said Téton, Yanc-ton, and  
 38723 Yanc-tonies bands shall, to the utmost of their power, exert  
 38724 themselves to recover horses or other property which may be  
 38725 stolen or taken from any citizen or citizens of the United States  
 38726 by any individual or individuals of said bands; and the prop-  
 38727 erty so recovered shall be forthwith delivered to the agents, or  
 38728 other person authorized to receive it, that it may be restored to  
 38729 the proper owner. And the United States hereby guaranty to  
 38730 any Indian or Indians of said bands a full indemnification for  
 38731 any horses or other property which may be stolen from them by  
 38732 any of their citizens: *Provided*, That the property so stolen  
 38733 cannot be recovered, and that sufficient proof is produced that  
 38734 it was actually stolen by a citizen of the United States. And  
 38735 the said Téton, Yanc-ton, and Yanc-tonies bands engage, on the  
 38736 requisition or demand of the President of the United States, or  
 38737 of the agents, to deliver up any white man resident among  
 38738 them.

38739 ARTICLE 6. And the chiefs and warriors, as aforesaid,  
 38740 promise and engage their band or tribe will never, by sale, ex-  
 38741 change, or as presents, supply any nation or tribe of Indians,  
 38742 not in amity with the United States, with guns, ammunition, or  
 38743 other implements of war.

38744 Proclaimed February 6, 1826.

38745 SIOUX OF THE RIVER ST. PETER'S.

38746 *A treaty of peace and friendship made and concluded between Will-*  
 38747 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 38748 *sioners plenipotentiary of the United States of America, on the*  
 38749 *part and behalf of the said States, of the one part, and the chiefs*  
 38750 *and warriors of the Siouxs of the river St. Peter's on the part*  
 38751 *and behalf of their said tribe, on the other part.*

38752 The parties being desirous of re-establishing peace and  
 38753 friendship between the United States and the said tribe, and of  
 38754 being placed in all things and in every respect on the same foot-  
 38755 ing upon which they stood before the late war between the  
 38756 United States and Great Britain, have agreed to the following  
 38757 articles :

38758 ARTICLE 1. Every injury or act of hostility committed by  
 38759 one or either of the contracting parties against the other shall  
 38760 be mutually forgiven and forgot.

38761 ARTICLE 2. There shall be perpetual peace and friendship  
 38762 between all the citizens of the United States of America and all  
 38763 the individuals composing the tribe of Siouxs of the river St.  
 38764 Peter's; and all the friendly relations that existed between them  
 38765 before the war shall be, and the same are hereby, renewed.

38766 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 38767 selves and their said tribe, do hereby acknowledge themselves  
 38768 and their tribe to be under the protection of the United States,  
 38769 and of no other power, nation, or sovereign whatsoever.

38770 Ratified December 26, 1815.

38771 SIOUX OF THE LAKES.

38772 *A treaty of peace and friendship made and concluded between Will-*  
 38773 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 38774 *sioners plenipotentiary of the United States of America, on the*  
 38775 *part and behalf of the said States, of the one part, and the un-*  
 38776 *dersigned chiefs and warriors of the Siouxs of the lakes, on the*  
 38777 *part and behalf of their tribe, of the other part.*

38778 The parties being desirous of re-establishing peace and  
 38779 friendship between the United States and the said tribe, and of  
 38780 being placed in all things and in every respect on the same foot-  
 38781 ing upon which they stood before the late war between the  
 38782 United States and Great Britain, have agreed to the following  
 38783 articles :

38784 ARTICLE 1. Every injury or act of hostility committed by  
 38785 one or either of the contracting parties against the other shall  
 38786 be mutually forgiven and forgot.

38787 ARTICLE 2. There shall be perpetual peace and friendship  
 38788 between all the citizens of the United States of America and  
 38789 all the individuals composing the said tribe of the lakes, and all  
 38790 the friendly relations that existed between them before the war  
 38791 shall be, and the same are hereby, renewed.

38792 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 38793 selves and their said tribe, do hereby acknowledge themselves  
 38794 and their aforesaid tribe to be under the protection of the United  
 38795 States, and of no other nation, power, or sovereign whatsoever.

38796 Proclaimed July 19, 1815.

38797 SIOUX OF THE LEAF, ETC.

38798 *A treaty of peace and friendship made and concluded between*  
 38799 *William Clark, Ninian Edwards, and Auguste Chouteau, com-*  
 38800 *missioners plenipotentiary of the United States of America, on*  
 38801 *the part and behalf of the said States, of the one part, and the*  
 38802 *undersigned chiefs and warriors, representing eight bands of the*  
 38803 *Sioux, composing the three tribes called the Sioux of the Leaf,*  
 38804 *the Sioux of the Broad Leaf, and the Sioux who Shoot in the*  
 38805 *Pine Tops, on the part and behalf of their said tribes, of the*  
 38806 *other part.*

38807 The parties being desirous of re-establishing peace and  
 38808 friendship between the United States and the said tribes, and of  
 38809 being placed in all things, and in every respect, on the same  
 38810 footing upon which they stood before the late war between the  
 38811 United States and Great Britain, have agreed to the following  
 38812 articles:

38813 ARTICLE 1. Every injury or act of hostility committed by  
 38814 one or either of the contracting parties against the other shall  
 38815 be mutually forgiven and forgot.

38816 ARTICLE 2. There shall be perpetual peace and friendship  
 38817 between all the citizens of the United States and all the indi-  
 38818 viduals composing the aforesaid tribes; and all the friendly rela-  
 38819 tions that existed between them before the war shall be, and the  
 38820 same are hereby, renewed.

38821 ARTICLE 3. The undersigned chiefs and warriors for them-  
 38822 selves and their tribes respectively, do, by these presents, confirm  
 38823 to the United States all and every cession or cessions of land  
 38824 heretofore made by their tribes to the British, French, or Spanish

38825 government, within the limits of the United States or their Ter-  
 38826 ritories; and the parties here contracting do, moreover, in the  
 38827 sincerity of mutual friendship, recognise, re-establish, and con-  
 38828 firm all and every treaty, contract, and agreement heretofore  
 38829 concluded between the United States and the said tribes or  
 38830 nations.

38831 ARTICLE 4. The undersigned chiefs and warriors as afore-  
 38832 said, for themselves and their said tribes, do hereby acknowledge  
 38833 themselves to be under the protection of the United States, and  
 38834 of no other nation, power, or sovereign whatsoever.

38835 Proclaimed December 30, 1816.

### 38836 SIOUX—SIOUNE AND OGALLALA TRIBES.

#### 38837 TREATY WITH THE SIOUNE AND OGALLALA TRIBES.

38838 For the purpose of perpetuating the friendship which has  
 38839 heretofore existed, as also to remove all future cause of dis-  
 38840 cussion or dissension, as it respects trade and friendship be-  
 38841 tween the United States and their citizens, and the Sioune and  
 38842 Ogallala bands of the Sioux tribes of Indians, the President of  
 38843 the United States of America, by Brigadier-General Henry  
 38844 Atkinson, of the United States Army, and Major Benjamin  
 38845 O'Fallon, Indian agent, with full powers and authority, specially  
 38846 appointed and commissioned for that purpose, of the one part,  
 38847 and the undersigned chiefs, head-men, and warriors of the said  
 38848 Sioune and Ogallala bands of Sioux Indians, on behalf of  
 38849 their bands, of the other part, have made and entered into the  
 38850 following articles and conditions, which, when ratified by the  
 38851 President of the United States, by and with the advice and con-  
 38852 sent of the Senate, shall be binding on both parties, to wit:

38853 ARTICLE 1. It is admitted by the Sioune and Ogallala  
 38854 bands of Sioux Indians that they reside within the territorial  
 38855 limits of the United States, acknowledge their supremacy, and  
 38856 claim their protection. The said bands also admit the right of  
 38857 the United States to regulate all trade and intercourse with  
 38858 them.

38859 ARTICLE 2. The United States agree to receive the Sioune  
 38860 and Ogallala bands of Sioux into their friendship and under  
 38861 their protection, and to extend to them, from time to time, such  
 38862 benefits and acts of kindness as may be convenient and seem  
 38863 just and proper to the President of the United States.

38864 ARTICLE 3. All trade and intercourse with the Sioune and  
 38865 Ogallala bands shall be transacted at such place or places as

38866 may be designated and pointed out by the President of the United  
 38867 States, through his agents; and none but American citizens,  
 38868 duly authorized by the United States, shall be admitted to trade  
 38869 or hold intercourse with said bands of Indians.

38870 ARTICLE 4. That the Sioune and Ogallala bands may be  
 38871 accommodated with such articles of merchandize, &c., as their  
 38872 necessaries may demand, the United States agree to admit and  
 38873 licence traders to hold intercourse with said bands, under mild  
 38874 and equitable regulations; in consideration of which the Sioune  
 38875 and Ogallala bands bind themselves to extend protection to the  
 38876 persons and the property of the traders, and the persons legally  
 38877 employed under them, whilst they remain within the limits of  
 38878 their particular district of country. And the said Sioune and  
 38879 Ogallala bands further agree that if any foreigner or other per-  
 38880 son not legally authorized by the United States shall come into  
 38881 their district of country for the purposes of trade or other views,  
 38882 they will apprehend such person or persons, and deliver him or  
 38883 them to some United States superintendent, or agent of Indian  
 38884 affairs, or to the commandant of the nearest military post, to be  
 38885 dealt with according to law. And they further agree to give  
 38886 safe conduct to all persons who may be legally authorized by  
 38887 the United States to pass through their country; and to pro-  
 38888 tect, in their persons and property, all agents or other persons  
 38889 sent by the United States to reside temporarily among them;  
 38890 nor will they, whilst on their distant excursions, molest or inter-  
 38891 rupt any American citizen or citizens who may be passing from  
 38892 the United States to New Mexico, or returning from thence to  
 38893 the United States.

38894 ARTICLE 5. That the friendship which is now established  
 38895 between the United States and the Sioune and Ogallala bands  
 38896 should not be interrupted by the misconduct of individuals, it  
 38897 is hereby agreed that for injuries done by individuals, no private  
 38898 revenge or retaliation shall take place, but instead thereof,  
 38899 complaints shall be made by the injured party to the superin-  
 38900 tendent or agent of Indian affairs, or other person appointed by  
 38901 the President; and it shall be the duty of said chiefs, upon  
 38902 complaint being made as aforesaid, to deliver up the person or  
 38903 persons against whom the complaint is made, to the end that  
 38904 he or they may be punished agreeably to the laws of the United  
 38905 States. And, in like manner, if any robbery, violence, or murder  
 38906 shall be committed on any Indian or Indians belonging to the  
 38907 said bands, the person or persons so offending shall be tried, and  
 38908 if found guilty shall be punished in like manner as if the injury  
 38909 had been done to a white man. And it is agreed that the  
 38910 chiefs of said Sioune and Ogallala bands shall, to the utmost of  
 38911 their power, exert themselves to recover horses or other prop-

erty which may be stolen or taken from any citizen or citizens of the United States by any individual or individuals of said bands; and the property so recovered shall be forthwith delivered to the agents or other person authorized to receive it, that it may be restored to the proper owner. And the United States hereby guaranty to any Indian or Indians of said bands a full indemnification for any horses or other property which may be stolen from them by any of their citizens: *Provided*, The property stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen of the United States. And the said Sioune and Ogallala bands engage, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 6. And the chiefs and warriors as aforesaid promise and engage that their bands will never, by sale, exchange, or as presents, supply any nation, tribe, or band of Indians not in amity with the United States with guns, ammunition, or other implements of war.

Proclaimed February 6, 1826.

#### SIOUX—HUNKPAPA BAND.

##### *Treaty with the Hunkpapas band of the Sioux tribe.*

For the purpose of perpetuating the friendship which has heretofore existed, as also to remove all future cause of discussion or dissension, as it respects trade and friendship between the United States and their citizens and the Hunkpapas band of the Sioux tribe of Indians, the President of the United States of America, by Brigadier-General Henry Atkinson, of the United States Army, and Major Benjamin O'Fallon, Indian agent, with full powers and authority, specially appointed and commissioned for that purpose, of the one part, and the undersigned chiefs, head-men, and warriors of the said Hunkpapas band of Sioux Indians, on behalf of their band, of the other part, have made and entered into the following articles and conditions; which when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding on both parties, to wit:

ARTICLE 1. It is admitted by the Hunkpapas band of Sioux Indians that they reside within the territorial limits of the United States, acknowledge their supremacy, and claim their protection. The said band also admit the right of the United States to regulate all trade and intercourse with them.

38954 ARTICLE 2. The United States agree to receive the Hunk-  
 38955 papas band of Sioux into their friendship, and under their pro-  
 38956 tection, and to extend to them, from time to time, such benefits  
 38957 and acts of kindness as may be convenient, and seem just and  
 38958 proper to the President of the United States.

38959 ARTICLE 3. All trade and intercourse with the Hunkpapas  
 38960 band shall be transacted at such place or places as may be desig-  
 38961 nated and pointed out by the President of the United States,  
 38962 through his agents; and none but American citizens, duly au-  
 38963 thorized by the United States, shall be admitted to trade or hold  
 38964 intercourse with said band of Indians.

38965 ARTICLE 4. That the Hunkpapas band may be accommo-  
 38966 dated with such articles of merchandize, &c., as their necessities  
 38967 may demand, the United States agree to admit and licence traders  
 38968 to hold intercourse with said band under mild and equitable regu-  
 38969 lations, in consideration of which the Hunkpapas band bind them-  
 38970 selves to extend protection to the persons and the property of the  
 38971 traders, and the persons legally employed under them, whilst  
 38972 they remain within the limits of their particular district of coun-  
 38973 try. And the said Hunkpapas band further agree, that if any  
 38974 foreigner, or other person not legally authorized by the United  
 38975 States, shall come into their district of country, for the purposes  
 38976 of trade or other views, they will apprehend such person or per-  
 38977 sons, and deliver him or them to some United States superin-  
 38978 tendent or agent of Indian affairs, or to the commandant of the  
 38979 nearest military post, to be dealt with according to law. And  
 38980 they further agree to give safe-conduct to all persons who may  
 38981 be legally authorized by the United States to pass through their  
 38982 country, and to protect in their persons and property all agents  
 38983 or other persons sent by the United States to reside temporarily  
 38984 among them.

38985 ARTICLE 5. That the friendship which is now established  
 38986 between the United States and the Hunkpapas band should not  
 38987 be interrupted by the misconduct of individuals, it is hereby  
 38988 agreed that, for injuries done by individuals, no private revenge  
 38989 or retaliation shall take place, but instead thereof, complaints  
 38990 shall be made, by the injured party, to the superintendent or  
 38991 agent of Indian affairs, or other person appointed by the Presi-  
 38992 dent; and it shall be the duty of said chiefs, upon complaint  
 38993 being made as aforesaid, to deliver up the person or persons  
 38994 against whom the complaint is made, to the end that he or they  
 38995 may be punished agreeably to the laws of United States. And  
 38996 in like manner, if any robbery, violence, or murder shall be  
 38997 committed on any Indian or Indians belonging to the said band,  
 38998 the person or persons so offending shall be tried, and, if found  
 38999 guilty, shall be punished in like manner as if the injury had

39000 been done to a white man. And it is agreed that the chiefs of  
 39001 said Hunkpapas band shall, to the utmost of their power, exert  
 39002 themselves to recover horses or other property which may be  
 39003 stolen or taken from any citizen or citizens of the United States  
 39004 by any individual or individuals of said band; and the property  
 39005 so recovered shall be forthwith delivered to the agents or other  
 39006 person authorized to receive it, that it may be restored to the  
 39007 proper owner. And the United States hereby guaranty to any  
 39008 Indian or Indians of said band a full indemnification for any  
 39009 horses or other property which may be stolen from them by any  
 39010 of their citizens: *Provided*, That the property stolen cannot be  
 39011 recovered, and that sufficient proof is produced that it was  
 39012 actually stolen by a citizen of the United States. And the said  
 39013 Hunkpapas band engage, on the requisition or demand of the  
 39014 President of the United States, or of the agents, to deliver up  
 39015 any white man resident among them.

39016 ARTICLE 6. And the chiefs and warriors, as aforesaid,  
 39017 promise and engage that their band will never, by sale, exchange,  
 39018 or as presents, supply any nation or tribe of Indians, not in  
 39019 amity with the United States, with guns, ammunition, or other  
 39020 implements of war.

39021 Proclaimed February 6, 1826.

# 39022 SIOUX—WA-HA-SHAW'S TRIBE.

## 39023 *Convention with the Sioux of Wa-ha-shaw's tribe.*

39024 In a convention held this tenth day of September, 1836,  
 39025 between Col. Z. Taylor, Indian agent, and the chiefs, braves,  
 39026 and principal men of the Sioux of Wa-ha-shaw's tribe of Indians,  
 39027 it has been represented that according to the stipulations of the  
 39028 first article of the treaty of Prairie du Chien, of the 15th July,  
 39029 1830, (proclaimed February 24, 1831,) the country thereby ceded  
 39030 is "to be assigned and allotted under the direction of the Pres-  
 39031 ident of the United States to the tribes now living thereon, or  
 39032 to such other tribes as the President may locate thereon, for  
 39033 hunting and other purposes."

39034 And whereas it is further represented to us, the chiefs, braves,  
 39035 and principal men of the tribe aforesaid, to be desirable that  
 39036 the lands lying between the State of Missouri and the Missouri  
 39037 River should be attached to and become a part of said State,  
 39038 and the Indian title thereto be extinguished, but that, notwith-  
 39039 standing, as these lands compose a part of the country embraced  
 39040 by the provisions of said first article of the treaty aforesaid, the

39041 stipulations thereof will be strictly observed until the assent of  
39042 the Indians interested is given to the proposed measure :

39043       Now we, the chiefs, braves, and principal men of the above-  
39044 named tribe of Indians, fully understanding the subject, and  
39045 well satisfied from the local position of the lands in question  
39046 that they can never be made available for Indian purposes, and  
39047 that an attempt to place an Indian population on them must in-  
39048 evitably lead to collisions with the citizens of the United States ;  
39049 and further believing that the extension of the State line in the  
39050 direction indicated would have a happy effect, by presenting a  
39051 natural boundary between the whites and Indians ; and willing,  
39052 moreover, to give the United States a renewed evidence of our  
39053 attachment & friendship, do hereby for ourselves, and on behalf  
39054 of our respective tribes, (having full power and authority to this  
39055 effect,) forever cede, relinquish, and quit-claim to the United  
39056 States all our right, title, and interest of whatsoever nature in  
39057 and to the lands lying between the State of Missouri and the  
39058 Missouri River, and do freely and fully exonerate the United  
39059 States from any guarantee, condition, or limitation, expressed  
39060 or implied under the treaty of Prairie du Chien aforesaid or  
39061 otherwise, as to the entire and absolute disposition of the said  
39062 land, fully authorizing the United States to do with the same  
39063 whatever shall seem expedient or necessary.

39064       Proclaimed February 13, 1837.

39065 SIOUX—WAHPAAKOOTAH, SUSSETON, ETC., TRIBES.

39066 *Convention with the Wahpaakootah, Susseton, and Upper Meda-*  
39067 *wakanton tribes of Sioux Indians.*

39068       In a convention held this thirtieth day of November, 1836,  
39069 between Lawrence Taliaferro, Indian agent at St. Peter's, and  
39070 the chiefs, braves, and principal men of the Wahpaakootah,  
39071 Susseton, and Upper Medawakanton tribes of Sioux Indians, it  
39072 has been represented, that according to the stipulations of the  
39073 first article of the treaty of Prairie du Chien of the 15th July,  
39074 1830, (proclaimed February 24, 1831,) the country thereby ceded  
39075 is "to be assigned and allotted under the direction of the Pres-  
39076 ident of the United States to the tribes now living thereon, or  
39077 to such other tribes as the President may locate thereon, for  
39078 hunting or other purposes."

39079       And whereas it is further represented to us, the chiefs, braves,  
39080 and principal men of the tribes aforesaid, to be desirable that  
39081 the lands lying between the State of Missouri and the Missouri

39082 River should be attached to, and become a part of, said State  
 39083 and the Indian title thereto be entirely extinguished; but that,  
 39084 notwithstanding, as these lands compose a part of the country  
 39085 embraced by the provisions of said first article of the treaty  
 39086 aforesaid, the stipulations thereof will be strictly observed until  
 39087 the assent of the Indians interested is given to the proposed  
 39088 measure:

39089 Now we, the chiefs, braves, and principal men of the Wah-  
 39090 paakoota, Susseton, and Upper Medawakanton tribes of Sioux  
 39091 Indians, fully understanding the subject, and well satisfied from  
 39092 the local position of the lands in question that they can never  
 39093 be made available for Indian purposes, and that an attempt to  
 39094 place an Indian population on them must inevitably lead to col-  
 39095 lisions with the citizens of the United States; and further be-  
 39096 lieving that the extension of the State-line in the direction indi-  
 39097 cated would have a happy effect, by presenting a natural  
 39098 boundary between the whites and Indians; and willing, more-  
 39099 over, to give the United States a renewed evidence of our  
 39100 attachment and friendship, do hereby, for ourselves and on  
 39101 behalf of our respective tribes, (having full power and authority  
 39102 to this effect,) forever cede, relinquish, and quit-claim to the  
 39103 United States all our right, title, and interest, of whatsoever  
 39104 nature, in and to the lands lying between the State of Missouri  
 39105 and the Missouri River, and do freely and fully exonerate the  
 39106 United States from any guarantee, condition, or limitation, ex-  
 39107 pressed or implied, under the treaty of Prairie du Chien afore-  
 39108 said, or otherwise, as to the entire and absolute disposition of  
 39109 the said lands, fully authorizing the United States to do with  
 39110 the same whatever shall seem expedient or necessary.

39111 As a proof of the continued friendship and liberality of the  
 39112 United States towards the Wahpaakootah, Susseton, and Upper  
 39113 Medawakanton tribes of Sioux Indians, and as an evidence of  
 39114 the sense entertained for the good-will manifested by said tribes  
 39115 to the citizens and Government of the United States, as evinced  
 39116 in the preceding cession or relinquishment, the undersigned  
 39117 agrees, on behalf of the United States, to cause said tribes to  
 39118 be furnished with presents to the amount of five hundred and  
 39119 fifty dollars, *in goods*, the receipt of which is hereby acknowl-  
 39120 edged. (See note, page 890.)

39121 Proclaimed February 18, 1837.

39122

## SIOUX—CERTAIN CHIEFS AND BRAVES.

39123 *Articles of a treaty made at the city of Washington between Joel R.*  
 39124 *Poinsett, thereto specially authorised by the President of the*  
 39125 *United States, and certain chiefs and braves of the Sioux Na-*  
 39126 *tion of Indians.*

39127 ARTICLE 1. The chiefs and braves, representing the parties  
 39128 having an interest therein, cede to the United States all their  
 39129 land east of the Mississippi River and all their islands in the  
 39130 said river.

39131 ARTICLE 2. In consideration of the cession contained in  
 39132 the preceding article, the United States agree to the following  
 39133 stipulations on their part :

39134 First. To invest the sum of \$300,000 (three hundred thous-  
 39135 and dollars) in such safe and profitable State stocks as the Pre-  
 39136 sident may direct, and to pay to the chiefs and braves as afore-  
 39137 said, annually, forever, an income of not less than five per cent.  
 39138 thereon, a portion of said interest, not exceeding one-third, to  
 39139 be applied in such manner as the President may direct, and the  
 39140 residue to be paid in specie, or in such other manner and for  
 39141 such objects as the proper authorities of the tribe may designate.

39142 Second. To pay to the relatives and friends of the chiefs and  
 39143 braves, as aforesaid, having not less than one-quarter of Sioux  
 39144 blood, \$110,000 (one hundred and ten thousand dollars,) to be  
 39145 distributed by the proper authorities of the tribe, upon principles  
 39146 to be determined by the chiefs and braves signing this treaty  
 39147 and the War Department.

39148 Third. To apply the sum of \$90,000 (ninety thousand dollars)  
 39149 to the payment of just debts of the Sioux Indians interested in  
 39150 the lands herewith ceded.

39151 Fourth. To pay the chiefs and braves as aforesaid an an-  
 39152 nuity for ten years of \$10,000, (ten thousand dollars,) in goods, to  
 39153 be purchased under the direction of the President, and delivered  
 39154 at the expense of the United States.

39155 Fifth. To expend annually for twenty years for the benefit  
 39156 of Sioux Indians, parties to this treaty, the sum of \$8,250 (eight  
 39157 thousand two hundred and fifty dollars) in the purchase of medi-  
 39158 cines, agricultural implements, and stock, and for the support  
 39159 of a physician, farmers, and blacksmiths, and for other beneficial  
 39160 objects.

39161 Sixth. In order to enable the Indians aforesaid to break up  
 39162 and improve their lands, the United States will supply, as soon  
 39163 as practicable after the ratification of this treaty, agricultural  
 39164 implements, mechanics' tools, cattle, and such other articles as

39165 may be useful to them, to an amount not exceeding \$10,000, (ten  
39166 thousand dollars.)

39167 Seventh. To expend annually for twenty years the sum of  
39168 \$5,500 (five thousand five hundred dollars) in the purchase of  
39169 provisions, to be delivered at the expense of the United States.

39170 Eighth. To deliver to the chiefs and braves signing this  
39171 treaty, upon their arrival at St. Louis, \$6,000, (six thousand dol-  
39172 lars,) in goods.

39173 ARTICLE 3. This treaty shall be binding on the contracting  
39174 parties as soon as it shall be ratified by the United States.

39175 Proclaimed June 15, 1838.

39176 SIOUX—SEE-SEE-TON AND WAH-PAY-TOAN BANDS.

39177 MILLARD FILLMORE, President of the United States of Ameri-  
39178 ca, to all and singular to whom these presents shall come,  
39179 greeting :

39180 Whereas a treaty was made and concluded at Traverse des  
39181 Sioux, in the Territory of Minnesota, on the twenty-third day  
39182 of July, one thousand eight hundred and fifty-one, between the  
39183 United States of America, by Luke Lea, Commissioner of Indian  
39184 Affairs, and Alexander Ramsey, governor and *ex-officio* superin-  
39185 tendent of Indian affairs in said Territory, acting as commis-  
39186 sioners, and the See-see-toan and Wah-pay-toan bands of Dako-  
39187 ta or Sioux Indians, which treaty is in the words following, to  
39188 wit :

39189 Articles of a treaty made and concluded at Traverse des Sioux,  
39190 upon the Minnesota River, in the Territory of Minnesota,  
39191 on the twenty-third day of July, eighteen hundred and  
39192 fifty-one, between the United States of America, by Luke  
39193 Lea, Commissioner of Indian Affairs, and Alexander Ram-  
39194 sey, governor and *ex-officio* superintendent of Indian affairs  
39195 in said Territory, commissioners duly appointed for that  
39196 purpose, and the See-see-toan and Wah-pay-toan bands of  
39197 Dakota or Sioux Indians.

39198 ARTICLE 1. It is stipulated and solemnly agreed that the  
39199 peace and friendship now so happily existing between the  
39200 United States and the aforesaid bands of Indians shall be  
39201 perpetual.

39202 ARTICLE 2. The said See-see-toan and Wah-pay-toan bands  
39203 of Dakota or Sioux Indians agree to cede, and do hereby cede.  
39204 sell, and relinquish to the United States, all their lands in the  
39205 State of Iowa, and also all their lands in the Territory of Min-  
39206 nesota lying east of the following line, to wit: Beginning at the

39207 junction of the Buffalo River with the Red River of the North;  
 39208 thence along the western bank of said Red River of the North  
 39209 to the mouth of the Sioux Wood River; thence along the west-  
 39210 ern bank of said Sioux Wood River to Lake Traverse; thence  
 39211 along the western shore of said lake to the southern extremity  
 39212 thereof; thence in a direct line to the junction of Kampska  
 39213 Lake with the Tchan-kas-an-data, or Sioux River; thence along  
 39214 the western bank of said river to its point of intersection with  
 39215 the northern line of the State of Iowa, including all the islands  
 39216 in said rivers and lake.

39217 ARTICLE 3. Stricken out.

39218 ARTICLE 4. In further and full consideration of said ces-  
 39219 sion, the United States agree to pay to said Indians the sum  
 39220 of one million six hundred and sixty-five thousand dollars  
 39221 (\$1,665,000,) at the several times, in the manner, and for the pur-  
 39222 poses following, to wit :

39223 1st. To the chiefs of the said bands, to enable them to settle  
 39224 their affairs and comply with their present just engagement,  
 39225 and in consideration of their removing themselves to the country  
 39226 set apart for them as above, which they agree to do within two  
 39227 years, or sooner, if required by the President, without further  
 39228 cost or expense to the United States, and in consideration of  
 39229 their subsisting themselves the first year after their removal,  
 39230 which they agree to do without further cost or expense on the  
 39231 part of the United States, the sum of two hundred and seventy-  
 39232 five thousand dollars, (\$275,000 :) *Provided*, That said sum shall  
 39233 be paid to the chiefs in such manner as they hereafter in open  
 39234 council shall request, and as soon after the removal of said In-  
 39235 dians to the home set apart for them as the necessary appro-  
 39236 priation therefor shall be made by Congress.

39237 2d. To be laid out under the direction of the President for  
 39238 the establishment of manual-labor schools, the erection of mills  
 39239 and blacksmith shops, opening farms, fencing and breaking  
 39240 land, and for such other beneficial objects as may be deemed  
 39241 most conducive to the prosperity and happiness of said Indians,  
 39242 thirty thousand dollars, (\$30,000.)

39243 The balance of said sum of one million six hundred and six-  
 39244 ty-five thousand dollars, (\$1,665,000,) to wit, one million three  
 39245 hundred and sixty thousand dollars (\$1,360,000) to remain in  
 39246 trust with the United States, and five per cent. interest thereon  
 39247 to be paid annually to said Indians, for the period of fifty years,  
 39248 commencing the first day of July, eighteen hundred and fifty-  
 39249 two, (1852,) which shall be in full payment of said balance, prin-  
 39250 cipal and interest, the said payment to be applied, under the  
 39251 direction of the President, as follows, to wit :

39252 3d. For a general agricultural improvement and civilization  
39253 fund, the sum of twelve thousand dollars, (\$12,000.)

39254 4th. For educational purposes, the sum of six thousand  
39255 dollars, (\$6,000.)

39256 5th. For the purchase of goods and provisions, the sum of  
39257 ten thousand dollars, (\$10,000.)

39258 6th. For money annuity, the sum of forty thousand dollars,  
39259 (\$40,000.)

39260 ARTICLE 5. The laws of the United States prohibiting the  
39261 introduction and sale of spirituous liquors in the Indian country  
39262 shall be in full force and effect throughout the territory hereby  
39263 ceded and lying in Minnesota until otherwise directed by Con-  
39264 gress or the President of the United States.

39265 ARTICLE 6. Rules and regulations to protect the rights of  
39266 persons and property among the Indians, parties to this treaty,  
39267 and adapted to their condition and wants, may be prescribed  
39268 and enforced in such manner as the President or the Congress  
39269 of the United States, from time to time, shall direct.

39270 SUPPLEMENTAL ARTICLE.

39271 1st. The United States do hereby stipulate to pay the Sioux  
39272 bands of Indians, parties to this treaty, at the rate of ten cents  
39273 per acre, for the lands included in the reservation provided for  
39274 in the third article of the treaty as originally agreed upon in the  
39275 following words :

39276 "ARTICLE 3. In part consideration of the foregoing cession,  
39277 the United States do hereby set apart for the future occupancy  
39278 and home of the Dakota Indians, parties to this treaty, to be  
39279 held by them as Indian lands are held, all that tract of country  
39280 on either side of the Minnesota River, from the western bound-  
39281 ary of the lands herein ceded, east, to the Tchay-tam-bay River  
39282 on the north, and to Yellow Medicine River on the south side,  
39283 to extend on each side a distance of not less than ten miles  
39284 from the general course of said river, the boundaries of said  
39285 tract to be marked out by as straight lines as practicable, when-  
39286 ever deemed expedient by the President, and in such manner as  
39287 he shall direct;" which article has been stricken out of the  
39288 treaty by the Senate, the said payment to be in lieu of said res-  
39289 ervation; the amount, when ascertained, under instructions  
39290 from the Department of the Interior, to be added to the trust-  
39291 fund provided for in the fourth article.

39292 2d. It is further stipulated that the President be authorized,  
39293 with the assent of the said bands of Indians, parties to this  
39294 treaty, and as soon after they shall have given their assent to  
39295 the foregoing article as may be convenient, to cause to be set  
39296 apart, by appropriate landmarks and boundaries, such tracts of

39297 country without the limits of the cession made by the first [2d]  
 39298 article of the treaty as may be satisfactory for their future oc-  
 39299 cupancy and home: *Provided*, That the President may, by the  
 39300 consent of these Indians, vary the conditions aforesaid, if deemed  
 39301 expedient. (See note on page 890.)

39302 Proclaimed February 24, 1853.

39303 SIOUX—MED-AY-WA-KAN-TOAN AND WAH-PAY-KOO-  
 39304 TAY BANDS.

39305 MILLARD FILLMORE, President of the United States of America,  
 39306 to all and singular to whom these presents shall come,  
 39307 greeting:

39308 Whereas a treaty was made and concluded at Mendota, in  
 39309 the Territory of Minnesota, on the fifth day of August, one  
 39310 thousand eight hundred and fifty-one, between the United States  
 39311 of America, by Luke Lea, Commissioner of Indian Affairs, and  
 39312 Alexander Ramsey, governor and ex-officio superintendent of  
 39313 Indian affairs in said Territory, acting as commissioners, and  
 39314 the Med-ay-wa-kan-toan and Wah-pay-koo-tay bands of Dakota  
 39315 or Sioux Indians, which treaty is in the words following, to  
 39316 wit:

39317 Articles of a treaty made and concluded at Mendota, in the Ter-  
 39318 ritory of Minnesota, on the fifth day of August, eighteen  
 39319 hundred and fifty-one, between the United States of America,  
 39320 by Luke Lea, Commissioner of Indian Affairs, and Alexan-  
 39321 der Ramsey, governor and ex-officio superintendent of In-  
 39322 dian affairs in said Territory, commissioners duly appointed  
 39323 for that purpose, and the Med-ay-wa-kan-toan and Wah-pay-  
 39324 koo-tay bands of Dakota or Sioux Indians.

39325 ARTICLE 1. The peace and friendship existing between the  
 39326 United States and the Med-ay-wa-kan-toan and Wah-pay-koo-  
 39327 tay bands of Dakota or Sioux Indians shall be perpetual.

39328 ARTICLE 2. The said Med-ay-wa-kan-toan and Wah-pay-  
 39329 koo-tay bands of Indians do hereby cede and relinquish all their  
 39330 lands, and all their right, title, and claim to any lands whatever,  
 39331 in the Territory of Minnesota or in the State of Iowa.

39332 ARTICLE 3. Stricken out.

39333 ARTICLE 4. In further and full consideration of said cession  
 39334 and relinquishment, the United States agree to pay to said  
 39335 Indians the sum of one million four hundred and ten thousand  
 39336 dollars, (\$1,410,000,) at the several times, in the manner, and for  
 39337 the purposes following, to wit:

39338 1st. To the chiefs of the said bands, to enable them to settle

39339 their affairs and comply with their present just engagements,  
 39340 and in consideration of their removing themselves to the coun-  
 39341 try set apart for them as above, (which they agree to do within  
 39342 one year after the ratification of this treaty, without further cost  
 39343 or expense to the United States,) and in consideration of their  
 39344 subsisting themselves the first year after their removal, (which  
 39345 they agree to do without further cost or expense on the part of  
 39346 the United States,) the sum of two hundred and twenty thou-  
 39347 sand dollars, (\$220,000 :) *Provided*, That said sum shall be paid,  
 39348 one-half to the chiefs of the Med-ay-wa-kan-toan band, and one-  
 39349 half to the chief and head-men of the Wah-pay-koo-tay band, in  
 39350 such manner as they hereafter in open council shall respect-  
 39351 ively request, and as soon after the removal of said Indians to  
 39352 the home set apart for them as the necessary appropriations  
 39353 therefor shall be made by Congress.

39354 2d. To be laid out, under the direction of the President, for  
 39355 the establishment of manual-labor schools, the erection of mills  
 39356 and blacksmith shops, opening farms, fencing and breaking  
 39357 land, and for such other beneficial objects as may be deemed  
 39358 most conducive to the prosperity and happiness of said Indians,  
 39359 thirty thousand dollars, (\$30,000.)

39360 The balance of said sum of one million four hundred and ten  
 39361 thousand dollars, (\$1,410,000,) to wit, one million one hundred  
 39362 and sixty thousand dollars (\$1,160,000) to remain in trust with  
 39363 the United States, and five per cent. interest thereon to be paid  
 39364 annually to said Indians, for the period of fifty years, commenc-  
 39365 ing on the first day of July, eighteen hundred and fifty-two,  
 39366 (1852,) which shall be in full payment of said balance, principal  
 39367 and interest, said payments to be made and applied, under the  
 39368 direction of the President, as follows, to wit:

39369 3d. For a general agricultural improvement and civilization  
 39370 fund, the sum of twelve thousand dollars, (\$12,000.)

39371 4th. For educational purposes, the sum of six thousand  
 39372 dollars, (\$6,000.)

39373 5th. For the purchase of goods and provisions, the sum of  
 39374 ten thousand dollars, (\$10,000.)

39375 6th. For money annuity, the sum of thirty thousand dol-  
 39376 lars, (\$30,000.)

39377 ARTICLE 5. The entire annuity, provided for in the first  
 39378 section of the second article of the treaty of September twenty-  
 39379 ninth, eighteen hundred and thirty-seven, (1837,) including an  
 39380 unexpended balance that may be in the Treasury on the first of  
 39381 July, eighteen hundred and fifty-two, (1852,) shall thereafter be  
 39382 paid in money.

39383 ARTICLE 6. The laws of the United States prohibiting the  
 39384 introduction and sale of spirituous liquors in the Indian country  
 39385 shall be in full force and effect throughout the territory hereby

ceded and lying in Minnesota until otherwise directed by Congress or the President of the United States.

ARTICLE 7. Rules and regulations to protect the rights of persons and property among the Indian parties to this treaty, and adapted to their condition and wants, may be prescribed and enforced in such manner as the President or the Congress of the United States, from time to time, shall direct.

ARTICLE 8. Stricken out.

SUPPLEMENTAL ARTICLE.

1st. The United States do hereby stipulate to pay the Sioux bands of Indians, parties to this treaty, at the rate of ten cents per acre for the lands included in the reservation provided for in the third article of the treaty as originally agreed upon in the following words:

"ARTICLE 3. In part consideration of the foregoing cession and relinquishment, the United States do hereby set apart for the future occupancy and home of the Dakota Indians, parties to this treaty, to be held by them as Indian lands are held, a tract of country of the average width of ten miles on either side of the Minnesota River, and bounded on the west by the Tchatam-bay and Yellow Medicine Rivers, and on the east by the Little Rock River and a line running due south from its mouth to the Waraju River; the boundaries of said tract to be marked out by as straight lines as practicable, whenever and in such manner as the President of the United States shall direct: *Provided*, That said tract shall be held and occupied by said bands in common, and that they shall hereafter participate equally and alike in all the benefits derived from any former treaty between said bands, or either of them, and the United States;" which article has been stricken out of the treaty by the Senate. The said payment to be in lieu of said reservation; the amount, when ascertained under instructions from the Department of the Interior, to be added to the trust fund provided for in the fourth article.

2d. It is further stipulated that the President be authorized, with the assent of the said bands of Indians, parties to this treaty, and as soon after they shall have given their assent to the foregoing article as may be convenient, to cause to be set apart, by appropriate landmarks and boundaries, such tracts of country without the limits of the cession made by the first article of the treaty as may be satisfactory for their future occupancy and home: *Provided*, That the President may, by the consent of these Indians, vary the conditions aforesaid if deemed expedient. (See note on page 890.)

Proclaimed Feb'y 24, 1853.

39431 *Treaty between the United States and the Mendawakanton and*  
 39432 *Wahpakoota bands of Dakota or Sioux tribe of Indians,*  
 39433 *concluded at Washington June 19, 1858 ; ratified by the Senate*  
 39434 *March 9, 1859.*

39435 JAMES BUCHANAN, President of the United States of America,  
 39436 to all and singular to whom these presents shall come,  
 39437 greeting :

39438 Whereas a treaty was made and concluded at the city of  
 39439 Washington on the nineteenth day of June, one thousand eight  
 39440 hundred and fifty-eight, by Charles E. Mix, commissioner on the  
 39441 part of the United States, and the following-named chiefs and  
 39442 head-men of the Mendawakanton and Wahpakoota bands of the  
 39443 Dakota and Sioux tribe of Indians, viz, Wabashaw, Chetana-  
 39444 kooamonee, Wasuliyahidan, Shakopee, Wamindeetonkee, Muz-  
 39445 zaojanjan, Tachunrpeemuz-za, Wakinyantowa, Chunrpiyuha,  
 39446 Onkeeterhidan, and Wamouisa, braves, on the part of the Men-  
 39447 dawakantons, and Hushawshaw, chiefs, and Papa and Tatae-  
 39448 bomdu, braves, on the part of the Wahpakootas, they being  
 39449 duly authorized and empowered to act for said bands ; which  
 39450 treaty is in the words and figures following, to wit :

39451 Articles of agreement and convention made and concluded at  
 39452 the city of Washington on the nineteenth day of June, one  
 39453 thousand eight hundred and fifty-eight, by Charles E. Mix,  
 39454 commissioner on the part of the United States, and the  
 39455 following-named chiefs and head-men of the Mendawakan-  
 39456 ton and Wahpakoota bands of the Dakota or Sioux tribe of  
 39457 Indians, viz, Wabashaw, Chetanakooamonee, Washuliyah-  
 39458 idan, Shakopee, Wamindeetonkee, Muzzaojanjan, and Ma-  
 39459 kawto, chiefs, and Hinhanduta, Ha-raka-Muzza, Wakano-  
 39460 janjan, Tachunrpee-muz-za, Wakinyantowa, Chunrpiyuha,  
 39461 Onkeeterhidan, and Wamouisa, braves, on the part of the  
 39462 Mendawakantons, and Hushawshaw, chief, and Pa-Pa and  
 39463 Tataebomdu, braves, on the part of the Wahpakootas, they  
 39464 being duly authorized and empowered to act for said bands.

39465 ARTICLE 1. It is hereby agreed and stipulated that, as soon  
 39466 as practicable after the ratification of this agreement, so much  
 39467 of that part of the reservation or tract of land now held and  
 39468 possessed by the Mendawakanton and Wahpakoota bands of the  
 39469 Dakota or Sioux Indians, and which is described in the third  
 39470 article of the treaty made with them on the fifth day of August,  
 39471 one thousand eight hundred and fifty-one, which lies south or  
 39472 southwestwardly of the Minnesota River, shall constitute a reser-  
 39473 vation for said bands, and shall be surveyed, and eighty acres  
 39474 thereof, as near as may be in conformity with the public surveys,  
 39475 be allotted in severalty to each head of a family or single person

39476 over the age of twenty-one years in said band of Indians, said  
 39477 allotments to be so made as to include a proper proportion of  
 39478 timbered land, if the same be practicable, in each of said allot-  
 39479 ments. The residue of said part of said reservation not so  
 39480 allotted shall be held by said bands in common and as other  
 39481 Indian lands are held: *Provided, however,* That eighty acres, as  
 39482 near as may be, shall, in like manner as above provided for, be  
 39483 allotted to each of the minors of said bands on his or her attain-  
 39484 ing their majority, or on becoming heads of families by contracting  
 39485 marriage, if neither of the parties shall have previously received  
 39486 land.

39487 All the necessary expenses of the surveys and allotments  
 39488 thus provided for shall be defrayed out of the funds of said  
 39489 bands of Indians in the hands of the Government of the United  
 39490 States.

39491 As the members of said bands become capable of managing  
 39492 their business and affairs, the President of the United States  
 39493 may, at his discretion, cause patents to be issued to them for the  
 39494 tracts of land allotted to them, respectively, in conformity with  
 39495 this article, said tracts to be exempt from levy, taxation, sale,  
 39496 or forfeiture, until otherwise provided for by the legislature of  
 39497 the State in which they are situated, with the assent of Congress;  
 39498 nor shall they be sold or alienated in fee, or be in any other  
 39499 manner disposed of, except to the United States or to members  
 39500 of said bands.

39501 ARTICLE 2. Whereas by the treaty with the Mendawakanton  
 39502 and Wahpakoota bands of Sioux Indians, concluded at Mendota  
 39503 on the fifth day of August, one thousand eight hundred and fifty-  
 39504 one, (next preceding treaty,) said bands retained for their "future  
 39505 occupancy and home," "to be held by them as Indian lands are  
 39506 held, a tract of country of the average width of ten miles on either  
 39507 side of the Minnesota River," extending from Little Rock River to  
 39508 the Tchatamba and Yellow Medicine Rivers, which land was to  
 39509 "be held by said bands in common;" and whereas the Senate of  
 39510 the United States so amended said treaty as to strike therefrom  
 39511 the provision setting apart said land as a home for said bands,  
 39512 and made provision for the payment to said bands "at the rate  
 39513 of ten cents per acre for the lands included in the" said tract so  
 39514 reserved and set apart for the "occupancy and home" of said  
 39515 bands, and also provided, in addition thereto, that there should  
 39516 be "set apart, by appropriate landmarks and boundaries, such  
 39517 tracts of country without the limits of the cession made by the  
 39518 first article of the" said treaty as should "be satisfactory for their  
 39519 future occupancy and home," said Senate amendment providing  
 39520 also "that the President may, with the consent of these Indians,  
 39521 vary the conditions aforesaid, if deemed expedient," all of which

provisions in said amendment were assented to by said Indians; and whereas the President so far varied the conditions of said Senate amendment as to permit said bands to locate for the time being upon the tract originally reserved by said bands for a home, and no "tracts of country without the limits of the cession" made in the said treaty *has* [have] ever been provided for or offered to said bands; and whereas by the "act making appropriations for the current and contingent expenses of the Indian Department and for fulfilling treaty stipulations with various Indian tribes," approved July 31, 1854, the President was authorized to confirm to the Sioux of Minnesota forever the reserve on the Minnesota River now occupied by them, upon such conditions as he may deem just; and whereas, although the President has not directly confirmed said reserve to said Indians, they claim that as they were entitled to receive "such tracts of country" as should "be satisfactory for their future occupancy and home," and as no such country has been provided for, or offered to, said bands, it is agreed and stipulated that the question shall be submitted to the Senate for decision whether they have such title; and if they have, what compensation shall be made to them for that part of said reservation or tract of land lying on the north side of the Minnesota River; whether they shall be allowed a specific sum of money therefor, and, if so, how much; or whether the same shall be sold for their benefit, they to receive the proceeds of such sale, deducting the necessary expenses incident thereto. Such sale, if decided in favor of by the Senate, shall be made under and according to regulations to be prescribed by the Secretary of the Interior, and in such manner as will secure to them the largest sum it may be practicable to obtain for said land.

ARTICLE 3. It is also agreed that if the Senate shall authorize the land designated in article two of this agreement to be sold for the benefit of the said Mendawakanton and Wahpakoota bands, or shall prescribe an amount to be paid said bands for their interest in said tract, provision shall be made by which the chiefs and head-men of said bands may, in their discretion, in open council, authorize to be paid out of the proceeds of said tract, such sum or sums as may be found necessary and proper, not exceeding seventy thousand dollars, to satisfy their just debts and obligations, and to provide goods to be taken by said chiefs and head-men to the said bands upon their return: *Provided, however,* That their said determinations shall be approved by the superintendent of Indian affairs for the northern superintendency for the time being, and the said payments be authorized by the Secretary of the Interior.

ARTICLE 4. The lands retained and to be held by the mem-

39568 bers of the Mendawakanton and Wahpakoota bands of the  
 39569 Dakota or Sioux Indians, under and by virtue of the first article  
 39570 of this agreement, shall, to all intents and purposes whatever,  
 39571 be deemed and held to be an Indian reservation ; and the laws  
 39572 which have been or may hereafter be enacted by Congress, to  
 39573 regulate trade and intercourse with the Indian tribes, shall have  
 39574 full force and effect over and within the limits of the same ; and  
 39575 no person other than the members of the said bands, to be ascer-  
 39576 tained and defined under such regulations as the Secretary of  
 39577 the Interior shall prescribe, unless such as may be duly licensed  
 39578 to trade with said bands, or employed for their benefit, or mem-  
 39579 bers of the family of such persons, shall be permitted to reside  
 39580 or make any settlement upon any part of said reservation ; and  
 39581 the timbered land allotted to individuals, and also that reserved  
 39582 for subsequent distribution, as provided in the first article of  
 39583 this agreement, shall be free from all trespass, use, or occupation,  
 39584 except as hereinafter provided.

39585       ARTICLE 5. The United States shall have the right to estab-  
 39586 lish and maintain upon said reservation such military posts,  
 39587 agencies, schools, mills, shops, roads, and agricultural or me-  
 39588 chanical improvements as may be deemed necessary, but no  
 39589 greater quantity of land or timber shall be taken and used for  
 39590 said purposes than shall be actually requisite therefor. And if  
 39591 in the establishment or maintenance of such posts, agencies,  
 39592 roads, or other improvements, the timber or other property of  
 39593 any individual Indian shall be taken, injured, or destroyed, just  
 39594 and adequate compensation shall be made therefor by the United  
 39595 States. Roads or highways authorized by competent authority  
 39596 other than the United States, the lines of which shall lie through  
 39597 said reservation, shall have the right of way through the same,  
 39598 upon the fair and just value of such right being paid to the said  
 39599 Mendawakanton and Wahpakoota bands by the party or parties  
 39600 authorizing or interested in the same, to be assessed and deter-  
 39601 mined in such manner as the Secretary of the Interior shall  
 39602 direct.

39603       ARTICLE 6. The Mendawakanton and Wapakoota bands  
 39604 of Dakota or Sioux Indians acknowledge their dependence on  
 39605 the Government of the United States, and do hereby pledge and  
 39606 bind themselves to preserve friendly relations with the citizens  
 39607 thereof, and to commit no injuries or depredations on their per-  
 39608 sons or property, nor on those of the members of any other tribe ;  
 39609 but in case of any such injury or depredation, full compensation  
 39610 shall, as far as practicable, be made therefor out of their moneys  
 39611 in the hands of the United States, the amount in all cases to  
 39612 be determined by the Secretary of the Interior. They further  
 39613 pledge themselves not to engage in hostilities with the Indians of

any other tribe unless in self-defence, but to submit, through their agent, all matters of dispute and difficulty between themselves and other Indians for the decision of the President of the United States, and to acquiesce in and abide thereby. They also agree to deliver to the proper officers all persons belonging to their said bands who may become offenders against the treaties, laws, or regulations of the United States, or the laws of the State of Minnesota, and to assist in discovering, pursuing, and capturing all such offenders whenever required so to do by such officers, through the agent or other proper officer of the Indian Department.

ARTICLE 7. To aid in preventing the evils of intemperance, it is hereby stipulated that if any of the members of the said Mendawakanton or Wahpakoota bands of Sioux Indians shall drink, or procure for others, intoxicating liquors, their proportion of the annuities of said bands shall, at the discretion of the Secretary of the Interior, be withheld from them for the period of at least one year; and for a violation of any of the stipulations of this agreement, on the part of any members of said bands, the persons so offending shall be liable to have their annuities withheld, and to be subject to such other punishment as the Secretary of the Interior may prescribe.

ARTICLE 8. Such of the stipulations of former treaties as provided for the payment of particular sums of money to the said Mendawakanton and Wahpakoota bands, or for the application or expenditure of specific amounts for particular objects or purposes, shall be, and hereby are, so amended and changed as to invest the Secretary of the Interior with discretionary power in regard to the manner and objects of the annual expenditure of all such sums or amounts which have accrued and are now due to said bands, together with the amount the said bands shall become annually entitled to under and by virtue of the provisions of this agreement: *Provided*, The said sums or amounts shall be expended for the benefit of said bands at such time or times and in such manner as the said Secretary shall deem best calculated to promote their interests, welfare, and advance in civilization. And it is further agreed that such change may be made in the stipulations of former treaties which provide for the payment of particular sums for specified purposes as to permit the chiefs and braves of said bands, or any of the subdivisions of said bands, with the sanction of the Secretary of the Interior, to authorize such payment or expenditures of their annuities, or any portion thereof, which are to become due hereafter, as may be deemed best for the general interests and welfare of the said bands or subdivisions thereof.

ARTICLE 9. As the Senate struck from the treaty with the Mendawakanton band of Sioux of the twenty-ninth day of

39660 September, one thousand eight hundred and thirty-seven,  
 39661 (proclaimed January 15, 1838; see page 878,) the ninth  
 39662 clause of the second article and the whole of the third  
 39663 article of said treaty, which provided for the payment of four  
 39664 hundred and fifty (450) dollars annually, for twenty years, to  
 39665 Scott Campbell, and confirmed to the said Scott Campbell a title  
 39666 to five hundred (500) acres of land which he then occupied, said  
 39667 payment and land being deemed by said Indians to form a part  
 39668 of the consideration for which they ceded to the United States  
 39669 a certain tract of land in said treaty specified, which reduction,  
 39670 in the consideration for said land, has never been sanctioned by  
 39671 said Indians, the said Mendawakantons and Wahpakoota bands  
 39672 now request that provision be made for the payment of the sum  
 39673 of ten thousand (10,000) dollars to A. J. Campbell, the son of  
 39674 said Scott Campbell, now deceased, in full consideration of the  
 39675 money stipulated to be paid and land confirmed to said Scott  
 39676 Campbell in the original draft of said treaty aforesaid; which  
 39677 subject is hereby submitted to the Senate for its favorable con-  
 39678 sideration.

39679 ARTICLE 10. The expenses attending the negotiation of  
 39680 this agreement shall be defrayed by the United States.

39681 N. B.—By the first section of the act of February 16, 1863,  
 39682 12th Statutes at Large, page 652, it is provided as follows: That  
 39683 all treaties heretofore made and entered into by the Sisseton,  
 39684 Walpaton, Medawakanton, and Wahpakoota bands of Sioux or  
 39685 Dakota Indians, or any of them, with the United States, are  
 39686 hereby declared to be abrogated and annulled, so far as said  
 39687 treaties or any of them purport to impose any future obligation  
 39688 on the United States, and all lands and rights of occupancy  
 39689 within the State of Minnesota, and all annuities and claims here-  
 39690 tofore accorded to said Indians, or any of them, to be forfeited  
 39691 to the United States.

39692 Proclaimed March 31, 1859.

#### 39693 SIOUX—MINNECONJON BAND.

39694 *Treaty between the United States of America and the Minnecon-*  
 39695 *jon band of Dakota or Sioux Indians, concluded October 10,*  
 39696 *1865; ratification advised, with amendment, March 5, 1866;*  
 39697 *proclaimed March 17, 1866.*

39698 ANDREW JOHNSON, President of the United States of America,  
 39699 to all and singular to whom these presents shall come, greet-  
 39700 ing:

39701 Whereas a treaty was made and concluded at Fort Sully, in  
 39702 the Territory of Dakota, on the tenth day of October, in the  
 39703 year of our Lord one thousand eight hundred and sixty-five, by

39704 and between Newton Edmunds, Edward B. Taylor, Major-Gen-  
 39705 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 39706 Reed, and Orrin Guernsey, commissioners on the part of the  
 39707 United States, and Hah-wah-zee-dan, (the Lone Horn,) Tah-ke-  
 39708 chah-hoosh-tay, (the Lame Deer,) and other chiefs and head-men  
 39709 of the Minneconjon band of Dakota or Sioux Indians, on the  
 39710 part of said band of Indians, and duly authorized thereto by  
 39711 them, which treaty is in the words and figures following, to  
 39712 wit:

39713 Articles of a treaty made and concluded at Fort Sully, in the  
 39714 Territory of Dakota, by and between Newton Edmunds,  
 39715 governor and ex-officio superintendent of Indian affairs of  
 39716 Dakota Territory, Edward B. Taylor, superintendent of  
 39717 Indian affairs for the northern superintendency, Major-  
 39718 General S. R. Curtis, Brigadier-General H. H. Sibley,  
 39719 Henry W. Reed, and Orrin Guernsey, commissioners on  
 39720 the part of the United States, duly appointed by the Presi-  
 39721 dent, and the undersigned chiefs and head-men of the Min-  
 39722 neconjon band of Dakota or Sioux Indians.

39723 . ARTICLE 1. The Minneconjon band of Dakota or Sioux In-  
 39724 dians, represented in council, hereby acknowledge themselves to  
 39725 be subject to the exclusive jurisdiction and authority of the  
 39726 United States, and hereby obligate and bind themselves indi-  
 39727 vidually and collectively not only to cease all hostilities against  
 39728 the persons and property of its citizens, but to use their influ-  
 39729 ence, and, if requisite, physical force, to prevent other bands of  
 39730 the Dakota or Sioux or other adjacent tribes from making hos-  
 39731 tile demonstrations against the Government or people of the  
 39732 United States.

39733 ARTICLE 2. Inasmuch as the Government of the United  
 39734 States is desirous to arrest the effusion of blood between the  
 39735 Indian tribes within its jurisdiction hitherto at war with each  
 39736 other, the Minneconjon band of Dakotas or Sioux, represented  
 39737 in council, anxious to respect the wishes of the Government,  
 39738 hereby agree and bind themselves to discontinue for the future  
 39739 all attacks upon the persons or property of other tribes unless  
 39740 first assailed by them, and to use their influence to promote  
 39741 peace everywhere in the region occupied or frequented by  
 39742 them.

39743 ARTICLE 3. All controversies or differences arising between  
 39744 the Minneconjon band of Dakotas or Sioux, represented in coun-  
 39745 cil, and other tribes of Indians, involving the question of peace  
 39746 or war, shall be submitted to the arbitrament of the President,  
 39747 or such person or persons as may be designated by him, and  
 39748 the decision or award faithfully observed by the said band rep-  
 39749 resented in council.

39750 ARTICLE 4. The said band, represented in council, shall  
 39751 withdraw from the routes overland already established or here-  
 39752 after to be established through their country; and in considera-  
 39753 tion thereof the Government of the United States agree to pay  
 39754 the said band the sum of ten thousand dollars annually for  
 39755 twenty years in such articles as the Secretary of the Interior  
 39756 may direct: *Provided*, That said band so represented in council  
 39757 shall faithfully conform to the requirements of this treaty.

39758 ARTICLE 5. Should any individual or individuals or por-  
 39759 tion of the band of the Minneconjon band of Dakotas or Sioux,  
 39760 represented in council, desire hereafter to locate permanently  
 39761 upon any part of the lands claimed by the said band for the  
 39762 purpose [of] agricultural or other pursuits, it is hereby agreed  
 39763 by the parties to this treaty that such individual or individuals  
 39764 shall be protected in such location against any annoyance or  
 39765 molestation on the part of whites or Indians.

39766 ARTICLE 6. Any amendment or modification of this treaty  
 39767 by the Senate of the United States shall be considered final and  
 39768 binding upon the said band, represented in council, as a part of  
 39769 this treaty in the same manner as if it had been subsequently  
 39770 presented and agreed to by the chiefs and head-men of said  
 39771 band.

39772 Proclaimed March 17, 1866.

#### 39773 SIOUX—LOWER BRULÉ BAND.

39774 *Treaty between the United States of America and the Lower Brulé*  
 39775 *band of Dakota or Sioux Indians, concluded October 14,*  
 39776 *1865; ratification advised, with amendment, March 5, 1866.*

39777 ANDREW JOHNSON, President of the United States of America,  
 39778 to all and singular to whom these presents shall come,  
 39779 greeting:

39780 Whereas a treaty was made and concluded at Fort Sully, in  
 39781 the Territory of Dakota, on the fourteenth day of October, in  
 39782 the year of our Lord one thousand eight hundred and sixty-five,  
 39783 by and between Newton Edmunds, Edward B. Taylor, Major-  
 39784 General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 39785 Reed, and Orrin Guernsey, commissioners on the part of the  
 39786 United States, and Muz-zah-wy-ah-tay, (the Iron Nation,) Tah-  
 39787 ton-kah-wak-kon, (Medicine Ball,) and other chiefs and head-  
 39788 men of the Lower Brulé band of Dakota or Sioux Indians, on  
 39789 the part of said band of Indians, and duly authorized thereto by  
 39790 them, which treaty is in the words and figures following, to  
 39791 wit:

39792 Articles of a treaty made and concluded at Fort Sully, in the  
 39793 Territory of Dakota, by and between Newton Edmunds,  
 39794 governor and ex-officio superintendent of Indian affairs of  
 39795 Dakota Territory, Edward B. Taylor, superintendent of In-  
 39796 dian affairs for the northern superintendency, Major-Gen-  
 39797 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 39798 Reed, and Orrin Guernsey, commissioners on the part of the  
 39799 United States, duly appointed by the President, and the un-  
 39800 dersigned chiefs and head-men of the Lower Brulé band of  
 39801 Dakota or Sioux Indians.

39802 ARTICLE 1. The Lower Brulé band of Dakota or Sioux In-  
 39803 dians, represented in council, hereby acknowledge themselves  
 39804 to be subject to the exclusive jurisdiction and authority of the  
 39805 United States, and hereby obligate and bind themselves, individ-  
 39806 ually and collectively, not only to cease all hostilities against  
 39807 the persons and property of its citizens, but to use their influ-  
 39808 ence, and, if necessary, physical force, to prevent other bands  
 39809 of the Dakota or Sioux, or other adjacent tribes, from making  
 39810 hostile demonstrations against the Government of the United  
 39811 States or its people.

39812 ARTICLE 2. Inasmuch as the Government of the United  
 39813 States is desirous to arrest the effusion of blood between the  
 39814 Indian tribes within its jurisdiction hitherto at war with each  
 39815 other, the Lower Brulé band of Dakotas or Sioux, represented  
 39816 in council, anxious to respect the wishes of the Government,  
 39817 hereby agree and bind themselves to discontinue for the future  
 39818 all attacks upon the persons or property of other tribes, unless  
 39819 first assailed by them, and to use their influence to promote  
 39820 peace everywhere in the region occupied or frequented by them.

39821 ARTICLE 3. All controversies or differences arising between  
 39822 the Lower Brulé band of Dakotas or Sioux, represented in  
 39823 council, and other tribes of Indians, involving the question of  
 39824 peace or war, shall be submitted for the arbitrament of the  
 39825 President, or such person or persons as may be designated by  
 39826 by him, and the decision or award faithfully observed by the  
 39827 said band represented in council.

39828 ARTICLE 4. The said band represented in council shall with-  
 39829 draw from the routes overland already established, or hereafter  
 39830 to be established through their country; and in consideration  
 39831 thereof, the Government of the United States agree to pay to  
 39832 the said band the sum of six thousand dollars annually, for  
 39833 twenty years, in such articles as the Secretary of the Interior  
 39834 may direct: *Provided*, That said band so represented in council  
 39835 shall faithfully conform to the requirements of this treaty.

39836 ARTICLE 5. Should any individual or individuals, or por-  
 39837 tion of the Lower Brulé band of Dakotas or Sioux, represented

39838 in council, desire hereafter to locate permanently upon any part  
 39839 of the lands claimed by the said band for the purpose of agri-  
 39840 cultural or other pursuits, it is hereby agreed by the parties to  
 39841 this treaty that such individual or individuals shall be protected  
 39842 in such location against any annoyance or molestation on the part  
 39843 of whites or Indians.

39844 ARTICLE 6. It is hereby agreed upon the part of the Gov-  
 39845 ernment of the United States that the said band of Lower Brulés  
 39846 shall locate on a permanent reservation at or near the mouth of  
 39847 the White River, to include Fort Lookout, twenty miles in a  
 39848 straight line along the Missouri River, and ten miles in depth;  
 39849 and that upon the actual occupation of not less than fifty lodges  
 39850 or families of said reservation, and their engaging permanently  
 39851 in agricultural and other kindred pursuits, the Government of  
 39852 the United States agree to furnish at its own cost the sum of  
 39853 twenty-five dollars for each and every lodge or family so en-  
 39854 gaged, as a common fund, to be expended in stock, agricultural  
 39855 and other implements, and general improvements, as shall be di-  
 39856 rected by the Secretary of the Interior; the said sum to be fur-  
 39857 nished annually for five years; it being understood that the  
 39858 said stock, agricultural and other implements, shall be and re-  
 39859 main the property of the United States, to be used and em-  
 39860 ployed for the exclusive benefit of the lodges or families so lo-  
 39861 cated, and in no case to be sold or alienated by the said band or  
 39862 any member thereof; and the United States further engage to  
 39863 employ, at its own cost, a blacksmith and farmer for the benefit  
 39864 of the said lodges or families.

39865 The United States reserve the right to construct a road or  
 39866 roads through the said reservation.

39867 No white person, other than officers, agents, or employés of  
 39868 the United States, shall be permitted to go on or remain on the  
 39869 said reservation, unless previously admitted as a member of the  
 39870 said band according to their usages.

39871 Whenever the Secretary of the Interior may so direct,  
 39872 schools for the instruction of the said band may be opened on  
 39873 the said reservation.

39874 ARTICLE 8. The undersigned chiefs of the Brulés hereby  
 39875 further agree that should the Two Kettles band of the Dakota  
 39876 or Sioux Indians be located adjoining them, they will cheerfully  
 39877 allow them to do so, and also agree that the employés secured  
 39878 to the Brulés may be used also for the joint benefit of the said  
 39879 Two Kettles, at the discretion of the Government.

39880 ARTICLE 8. Any amendment or modification of this treaty  
 39881 by the Senate of the United States shall be considered final and  
 39882 binding upon the said band represented in council as a part of

39883 this treaty, in the same manner as if it had been subsequently  
 39884 presented and agreed to by the chiefs and head-men of said band.  
 39885 Proclaimed March 17, 1866.

39886 SIOUX—TWO-KETTLE BAND.

39887 *Treaty between the United States of America and the Two-Kettles*  
 39888 *Band of Dakota or Sioux Indians; concluded October 19,*  
 39889 *1865; ratification advised, with amendment, March 5, 1866.*

39890 ANDREW JOHNSON, President of the United States of America,  
 39891 to all and singular to whom these presents shall come, greet-  
 39892 ing:

39893 Whereas a treaty was made and concluded at Fort Sully, in  
 39894 the Territory of Dakota, on the nineteenth day of October, in  
 39895 the year of our Lord one thousand eight hundred and sixty-five,  
 39896 by and between Newton Edmunds, Edward B. Taylor, Major-  
 39897 General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 39898 Reed, and Orrin Guernsey, commissioners on the part of the  
 39899 United States, and Cha-tan-skah, (The White Hawk,) E-to-  
 39900 ke-ah, (The Hump,) and other chiefs and head-men of the Two-  
 39901 Kettles bands of Dakota or Sioux Indians, on the part of said  
 39902 band of Indians, and duly authorized thereto by them, which  
 39903 treaty is in the words and figures following, to wit:

39904 Articles of a treaty made and concluded at Fort Sully, in the  
 39905 Territory of Dakota, by and between Newton Edmunds,  
 39906 governor and ex-officio superintendent of Indian affairs of  
 39907 Dakota Territory, Edward B. Taylor, superintendent of In-  
 39908 dian affairs for the northern superintendency, Major-General  
 39909 S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 39910 Reed, and Orrin Guernsey, commissioners on the part of  
 39911 the United States, duly appointed by the President, and the  
 39912 undersigned, chiefs and head-men of the Two-Kettles band  
 39913 of Dakota or Sioux Indians.

39914 ARTICLE 1. The Two-Kettles band of Dakota or Sioux In-  
 39915 dians, represented in council, hereby acknowledge themselves to  
 39916 be subject to the exclusive jurisdiction and authority of the  
 39917 United States, and hereby obligate and bind themselves, indi-  
 39918 vidually and collectively, not only to cease all hostilities against  
 39919 the persons and property of its citizens, but to use their in-  
 39920 fluence, and, if necessary, physical force, to prevent other bands  
 39921 of the Dakota or Sioux, or other adjacent tribes, from making  
 39922 hostile demonstrations against the Government of the United  
 39923 States, or its people.

39924 ARTICLE 2. Inasmuch as the Government of the United  
 39925 States is desirous to arrest the effusion of blood between the  
 39926 Indian tribes within its jurisdiction, hitherto at war with each  
 39927 other, the Two-Kettles band of Dakota or Sioux, represented in  
 39928 council, anxious to respect the wishes of the Government, here-  
 39929 by agree and bind themselves to discontinue for the future all  
 39930 attacks upon the persons or property of other tribes, unless first  
 39931 assailed by them, and to use their influence to promote peace  
 39932 everywhere in the region occupied or frequented by them.

39933 ARTICLE 3. All controversies or differences arising between  
 39934 the Two-Kettles band of Dakota or Sioux, represented in council,  
 39935 and other tribes of Indians, involving the question of peace or  
 39936 war, shall be submitted for the arbitrament of the President, or  
 39937 such person or persons as may be designated by him, and the  
 39938 decision or award faithfully observed by the said band, repre-  
 39939 sented in council.

39940 ARTICLE 4. The said band, represented in council, shall  
 39941 withdraw from the routes overland already established, or here-  
 39942 after to be established, through their country; and, in considera-  
 39943 tion thereof, the Government of the United States agree to pay  
 39944 to the said band the sum of six thousand dollars annually, for  
 39945 twenty years, in such articles as the Secretary of the Interior  
 39946 may direct: *Provided*, That the said band so represented in  
 39947 council shall faithfully conform to the requirements of this treaty.

39948 ARTICLE 5. Should any individual or individuals, or portion of  
 39949 the band of the Two-Kettles band of Dakota or Sioux Indians, rep-  
 39950 resented in council, desire hereafter to locate permanently upon  
 39951 any part of the land claimed by the said band, for the purpose of  
 39952 agricultural or other pursuits, it is hereby agreed by the parties to  
 39953 this treaty that such individual or individuals shall be protected in  
 39954 such location against any annoyance or molestation on the part  
 39955 of whites or Indians; and where twenty lodges or families of  
 39956 the Two-Kettles band shall have located on lands for agricultural  
 39957 purposes, and signified the same to their agent or superintendent,  
 39958 they, as well as other families so locating, shall receive the sum  
 39959 of twenty-five dollars annually, for five years, for each family,  
 39960 in agricultural implements and improvements; and when one  
 39961 hundred lodges or families shall have so engaged in agricultural  
 39962 pursuits, they shall be entitled to a farmer and blacksmith, at  
 39963 the expense of the Government, also teachers, at the option of  
 39964 the Secretary of the Interior, when deemed necessary.

39965 ARTICLE 6. Soldiers in the United States service having  
 39966 killed Ish-tah-chah-ne-aha, (Puffing Eyes,) a friendly chief of the  
 39967 Two-Kettles band of Dakota or Sioux Indians, it is hereby agreed  
 39968 that the Government of the United States shall cause to be paid  
 39969 to the surviving widow of the deceased, and his children, seven-

39970 teen in number, the sum of five hundred dollars; and to the  
 39971 said tribe or band, in common, as indemnity for killing said chief,  
 39972 the sum of five hundred dollars, said payment to be made under  
 39973 the direction of the Secretary of the Interior.

39974 ARTICLE 7. Any amendment or modification of this treaty  
 39975 by the Senate of the United States shall be considered final and  
 39976 binding upon the said band, represented in council, as a part of  
 39977 this treaty, in the same manner as if it had been subsequently  
 39978 presented and agreed to by the chiefs and head-men of said  
 39979 band.

39980 Proclaimed March 17, 1866.

39981 SIOUX—SANS ARC BAND.

39982 *Treaty between the United States of America and the Sans Arcs*  
 39983 *Band of Dakota or Sioux Indians; concluded October 20,*  
 39984 *1865; ratification advised, with amendment, March 5, 1866.*

39985 ANDREW JOHNSON, President of the United States of America,  
 39986 to all and singular to whom these presents shall come, greet-  
 39987 ing:

39988 Whereas a treaty was made and concluded at Fort Sully, in  
 39989 the Territory of Dakota, on the twentieth day of October, in the  
 39990 year of our Lord one thousand eight hundred and sixty-five, by  
 39991 and between Newton Edmunds, Edward B. Taylor, Major-Gen-  
 39992 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry W. Reed,  
 39993 and Orrin Guernsey, commissioners on the part of the United  
 39994 States, and Wah-mun-dee-o-pee-doo-tah, (The War Eagle with  
 39995 the Red Tail,) Cha-tau'hne, (The Yellow Hawk,) and other chiefs  
 39996 and head-men of the Sans Arcs band of Dakota or Sioux Indians,  
 39997 on the part of said band of Indians, and duly authorized thereto  
 39998 by them, which treaty is in the words and figures following, to  
 39999 wit:

40000 Articles of a treaty made and concluded at Fort Sully, in the  
 40001 Territory of Dakota, by and between Newton Edmunds,  
 40002 governor and ex-officio superintendent of Indian affairs of  
 40003 Dakota Territory, Edward B. Taylor, superintendent of In-  
 40004 dians affairs for the northern superintendency, Major-Gen-  
 40005 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 40006 Reed, and Orrin Guernsey, commissioners on the part of  
 40007 the United States, duly appointed by the President, and the  
 40008 undersigned chiefs and head-men of the Sans Arcs band of  
 40009 Dakota or Sioux Indians.

40010 ARTICLE 1. The Sans Arcs band of Dakota or Sioux Indians,  
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40011 represented in council, hereby acknowledge themselves to be  
 40012 subject to the exclusive jurisdiction and authority of the United  
 40013 States, and hereby obligate and bind themselves, individually  
 40014 and collectively, not only to cease all hostilities against the per-  
 40015 sons and property of its citizens, but to use their influence, and,  
 40016 if requisite, physical force, to prevent other bands of Dakota In-  
 40017 dians, or other adjacent tribes, from making hostile demonstra-  
 40018 tions against the Government or people of the United States.

40019 ARTICLE 2. Inasmuch as the Government of the United  
 40020 States is desirous to arrest the effusion of blood between the  
 40021 Indian tribes within its jurisdiction hitherto at war with each  
 40022 other, the Sans Arcs band of Dakota or Sioux Indians, repre-  
 40023 sented in council, anxious to respect the wishes of the Govern-  
 40024 ment, hereby agree to discontinue for the future all attacks  
 40025 upon the persons or property of other tribes, unless first attacked  
 40026 by them, and to use their influence to promote peace everywhere  
 40027 in the region occupied or frequented by them.

40028 ARTICLE 3. All controversies or differences arising between  
 40029 the Sans Arcs band of Dakota or Sioux Indians involving the  
 40030 question of peace or war shall be submitted for the arbitrament  
 40031 of the President, or such person or persons as may be designated  
 40032 by him, and the decision or award shall be faithfully observed  
 40033 by the said band represented in council.

40034 ARTICLE 4. The said band represented in council shall with-  
 40035 draw from the route overland already established or hereafter to  
 40036 be established through their country; and in consideration there-  
 40037 of the Government of the United States agree to pay the said  
 40038 band the sum of thirty dollars for each lodge or family, an-  
 40039 nually, for twenty years, in such articles as the Secretary of the  
 40040 Interior may direct: *Provided*, That said band so represented in  
 40041 council shall faithfully conform to the requirements of this  
 40042 treaty.

40043 ARTICLE 5. Should any individual or individuals or portion  
 40044 of the band of the Sans Arcs band of Dakota or Sioux Indians,  
 40045 represented in council, desire hereafter to locate permanently  
 40046 upon any land claimed by said band for the purposes of agricul-  
 40047 tural or other similar pursuits, it is hereby agreed by the parties  
 40048 to this treaty that such individuals shall be protected in such  
 40049 location against any annoyance or molestation on the part of  
 40050 whites or Indians; and whenever twenty lodges or families of  
 40051 the Sans Arcs band shall have located on land for agricultural  
 40052 purposes, and signified the same to their agent or superintendent,  
 40053 they, as well as other families so locating, shall receive the sum  
 40054 of twenty-five dollars annually, for five years, for each family,  
 40055 in agricultural implements and improvements; and when one  
 40056 hundred lodges or families shall have so engaged in agricul-

40057 tural pursuits they shall be entitled to a farmer and black-  
 40058 smith, at the expense of the Government; as also teachers, at  
 40059 the option of the Secretary of the Interior, whenever deemed  
 40060 necessary.

40061 ARTICLE 6. Any amendment or modification of this treaty  
 40062 by the Senate of the United States shall be considered final and  
 40063 binding upon the said band represented in council, as a part of  
 40064 this treaty, in the same manner as if it had been subsequently  
 40065 presented and agreed to by the chiefs and head-men of said  
 40066 band.

40067 Proclaimed March 17, 1866.

40068 SIOUX—ONKPAHPAH BAND.

40069 *Treaty between the United States of America and the Onkpahpah*  
 40070 *band of Dakota or Sioux Indians, concluded October 20,*  
 40071 *1865; ratification advised, with amendment, March 5, 1866.*

40072 ANDREW JOHNSON, President of the United States of America,  
 40073 to all and singular to whom these presents shall come,  
 40074 greeting:

40075 Whereas a treaty was made and concluded at Fort Sully, in  
 40076 the Territory of Dakota, on the twentieth day of October, in  
 40077 the year of our Lord one thousand eight hundred and sixty-five,  
 40078 by and between Newton Edmunds, Edward B. Taylor, Major-  
 40079 General S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 40080 Reed, and Orrin Guernsey, commissioners on the part of the  
 40081 United States, and Ah-ke-tche-tah-hon-skah, (The Tall Soldier,)  
 40082 Mah-to-che-kah, (The Little Bear,) and other chiefs and head-men  
 40083 of the Onk-pah-pah band of Dakota or Sioux Indians, on the part  
 40084 of said band of Indians, and duly authorized thereto by them,  
 40085 which treaty is in the words and figures following, to wit:

40086 Articles of a treaty made and concluded at Fort Sully, in the  
 40087 Territory of Dakota, by and between Newton Edmunds,  
 40088 governor and ex-officio superintendent of Indian affairs of  
 40089 Dakota Territory, Edward B. Taylor, superintendent of In-  
 40090 dian affairs for the northern superintendency, Major-Gen-  
 40091 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry W.  
 40092 Reed, and Orrin Guernsey, commissioners on the part of  
 40093 the United States, duly appointed by the President, and the  
 40094 undersigned chiefs and head-men of the Onkpahpah band  
 40095 of Dakota or Sioux Indians.

40096 ARTICLE 1. The Onkpahpah band of Dakota or Sioux In-  
 40097 dians, represented in council, hereby acknowledge themselves

40098 to be subject to the exclusive jurisdiction and authority of the  
 40099 United States, and hereby obligate and bind themselves, indi-  
 40100 vidually and collectively, not only to cease all hostilities against  
 40101 the persons and property of its citizens, but to use their influ-  
 40102 ence, and, if requisite, physical force, to prevent other bands of  
 40103 Dakota Indians, or other adjacent tribes, from making hostile  
 40104 demonstrations against the Government or people of the United  
 40105 States.

40106 ARTICLE 2. Inasmuch as the Government of the United  
 40107 States is desirous to arrest the effusion of blood between the  
 40108 Indian tribes within its jurisdiction hitherto at war with each  
 40109 other, the Onkpahpah band of Dakota or Sioux Indians, rep-  
 40110 resented in council, anxious to respect the wishes of the Govern-  
 40111 ment, hereby agree to discontinue for the future all attacks upon  
 40112 the persons or property of other tribes, unless first attacked by  
 40113 them, and to use their influence to promote peace everywhere in  
 40114 the region occupied or frequented by them.

40115 ARTICLE 3. All controversies or differences arising between  
 40116 the Onkpahpah band of Dakota or Sioux Indians involving the  
 40117 question of peace or war shall be submitted for the arbitrament  
 40118 of the President, or such person or persons as may be designated  
 40119 by him, and the decision or award shall be faithfully observed  
 40120 by the said band represented in council.

40121 ARTICLE 4. The said band, represented in council, shall with-  
 40122 draw from the routes overland already established, or hereafter  
 40123 to be established, through their country; and in consideration  
 40124 thereof the Government of the United States agree to pay the  
 40125 said band the sum of thirty dollars for each lodge or family, an-  
 40126 nually, for twenty years, in such articles as the Secretary of the  
 40127 Interior may direct: *Provided*, That said band so represented in  
 40128 council shall faithfully conform to the requirements of this  
 40129 treaty.

40130 ARTICLE 5. Should any individual or individuals, or portion  
 40131 of the band of the Onkpahpah band of Dakota or Sioux Indians,  
 40132 represented in council, desire hereafter to locate permanently  
 40133 upon any land claimed by said band for the purposes of agricul-  
 40134 tural or other similar pursuits, it is hereby agreed by the parties  
 40135 to this treaty that such individuals shall be protected in such  
 40136 location against any annoyance or molestation on the part of  
 40137 whites or Indians; and whenever twenty lodges or families of the  
 40138 Onkpahpah band shall have located on land for agricultural  
 40139 purposes, and signified the same to their agents or superintendent,  
 40140 they, as well as other families so locating, shall receive the sum  
 40141 of twenty-five dollars annually for five years, for each family,  
 40142 in agricultural implements and improvements; and when one  
 40143 hundred lodges or families shall have so engaged in agricultural

40144 pursuits, they shall be entitled to a farmer and blacksmith, at  
 40145 the expense of the Government; as also teachers, at the option  
 40146 of the Secretary of the Interior, whenever deemed necessary.

40147 ARTICLE 6. Any amendment or modification of this treaty  
 40148 by the Senate of the United States shall be considered final and  
 40149 binding upon the said band, represented in council, as a part of  
 40150 this treaty, in the same manner as if it had been subsequently  
 40151 presented and agreed to by the chiefs and head-men of said  
 40152 band.

40153 Proclaimed March 17, 1866.

40154 SIOUX—O'GALLALA BAND.

40155 *Treaty between the United States of America and the O'Gallala*  
 40156 *band of Dakota or Sioux Indians, concluded October 28,*  
 40157 *1865; ratification advised, with amendment, March 5, 1866;*  
 40158 *proclaimed March 17, 1866.*

40159 ANDREW JOHNSON, President of the United States of America,  
 40160 to all and singular to whom these presents shall come, greet-  
 40161 ing:

40162 Whereas a treaty was made and concluded at Fort Sully, in  
 40163 the Territory of Dakota, on the twenty-eighth day of October,  
 40164 in the year of our Lord one thousand eight hundred and sixty-  
 40165 five, by and between Newton Edmunds, Edward B. Taylor,  
 40166 Major-General S. R. Curtis, Brigadier-General H. H. Sibley,  
 40167 Henry W. Reed, and Orrin Guernsey, commissioners on the  
 40168 part of the United States, and Tan-tan-ka-has-ka, (Long Bull,)  
 40169 Ma-lo-wa-ta-khe, (The Charging Bear,) and other chiefs and  
 40170 head-men of the O'Gallala band of Dakota or Sioux Indians, on  
 40171 the part of said band of Indians, and duly authorized thereto  
 40172 by them, which treaty is in the words and figures following, to  
 40173 wit:

40174 Articles of a treaty made and concluded at Fort Sully, in the  
 40175 Territory of Dakota, by and between Newton Edmunds  
 40176 governor and ex-officio superintendent of Indian affairs of  
 40177 Dakota Territory, Edward B. Taylor, superintendent of  
 40178 Indian affairs for the northern superintendency, Major-Gen-  
 40179 eral S. R. Curtis, Brigadier-General H. H. Sibley, Henry  
 40180 W. Reed, and Orrin Guernsey, commissioners on the part  
 40181 of the United States, duly appointed by the President, and  
 40182 the undersigned chiefs and head-men of the O'Gallala band  
 40183 of Dakota or Sioux Indians.

40184 ARTICLE 1. The O'Gallala band of Dakota or Sioux

40185 Indians, represented in council, hereby acknowledge themselves  
 40186 to be subject to the exclusive jurisdiction and authority of the  
 40187 United States, and hereby obligate and bind themselves, indi-  
 40188 vidually and collectively, not only to cease all hostilities against  
 40189 the persons and property of its citizens, but to use their influ-  
 40190 ence, and, if necessary, physical force, to prevent other bands  
 40191 of the Dakota Indians, or other adjacent tribes, from making  
 40192 hostile demonstrations against the Government or people of the  
 40193 United States.

40194 ARTICLE 2. Inasmuch as the Government of the United  
 40195 States is desirous to arrest the effusion of blood between the  
 40196 Indian tribes within its jurisdiction hitherto at war with each  
 40197 other, the O'Gallala band of Dakota or Sioux Indians, repre-  
 40198 sented in council, anxious to respect the wishes of the Govern-  
 40199 ment, hereby agree to discontinue for the future all attacks upon  
 40200 the persons or property of other tribes, unless first attacked by  
 40201 them, and to use their influence to promote peace everywhere  
 40202 in the region occupied or frequented by them.

40203 ARTICLE 3. All controversies or differences arising between  
 40204 the O'Gallala band of Dakota or Sioux Indians, represented in  
 40205 council, and other tribes of Indians, involving the question of  
 40206 peace or war, shall be submitted *shall be submitted* for the arbi-  
 40207 trament of the *arbitrament of the* President, or such person or  
 40208 persons as may be designated by him, and the decision or award  
 40209 faithfully observed by the said band represented in council.

40210 ARTICLE 4. The said band, represented in council, shall  
 40211 withdraw from the routes overland already established or here-  
 40212 after to be established through their country; and, in consider-  
 40213 ation thereof, the Government of the United States agree to pay  
 40214 to the said band the sum of ten thousand dollars annually for  
 40215 twenty years, in such articles as the Secretary of the Interior  
 40216 may direct: *Provided*, That said band, so represented in coun-  
 40217 cil, shall faithfully conform to the requirements of this treaty.

40218 ARTICLE 5. Should any individual or individuals, or portion  
 40219 of the band of the [O'Gallala] band of Dakota or Sioux Indians,  
 40220 represented in council, desire hereafter to locate permanently  
 40221 upon any land claimed by said band for the purposes of agri-  
 40222 cultural or other similar pursuits, it is hereby agreed by the  
 40223 parties to this treaty that such individuals shall be protected in  
 40224 such location against any annoyance or molestation on the part  
 40225 of whites or Indians; and whenever twenty lodges or families  
 40226 of the O'Gallala band shall have located on land for agricultural  
 40227 purposes, and signified the same to their agent or superintend-  
 40228 ent, they, as well as other families so locating, shall receive the  
 40229 sum of twenty-five dollars annually, for five years, for each  
 40230 family, in agricultural implements and improvements; and

40231 when one hundred lodges or families shall have so engaged in  
 40232 agricultural pursuits, they shall be entitled to a farmer and  
 40233 blacksmith, at the expense of the Government, as also teachers,  
 40234 at the option of the Secretary of the Interior, whenever deemed  
 40235 necessary.

40236 ARTICLE 6. Any amendment or modification of this treaty  
 40237 by the Senate of the United States shall be considered final and  
 40238 binding upon the said band, represented in council, as a part of  
 40239 this treaty, in the same manner as if it had been subsequently  
 40240 presented and agreed to by the chiefs and head-men of said  
 40241 band.

40242 Proclaimed March 17, 1866.

40243 SIOUX—SISSEETON AND WAHPATON BANDS.

40244 *Treaty between the United States and the Sisseton and Wahpaton*  
 40245 *bands of the Dakota or Sioux tribe of Indians, concluded at*  
 40246 *Washington, June 19, 1858; ratified by the Senate, March 9, 1859.*

40247 JAMES BUCHANAN, President of the United States of America,  
 40248 to all and singular to whom these presents shall come,  
 40249 greeting:

40250 Whereas a treaty was made and concluded at the city of  
 40251 Washington on the nineteenth day of June, one thousand eight  
 40252 hundred and fifty-eight, by Charles E. Mix, commissioner on the  
 40253 part of the United States, and the following-named chiefs and  
 40254 head-men of the Sisseton and Wahpaton bands of the Dakota  
 40255 or Sioux tribe of Indians, viz: Maz-zah-shaw, Wamdupidutah,  
 40256 Ojupi, and Hahutanai, on the part of the Sissetons, and Maz-zo-  
 40257 manee, Muz-zakoote-manee, Upiyahideyaw, Umpedutokechaw,  
 40258 and Tachandupahotanka, on the part of the Wahpatons, they  
 40259 being duly authorized and empowered to act for said bands, which  
 40260 treaty is in the words and figures following, to wit:

40261 Articles of agreement and convention made and concluded at  
 40262 the city of Washington on the nineteenth day of June, one  
 40263 thousand eight hundred and fifty-eight, by Charles E. Mix,  
 40264 commissioner on the part of the United States, and the fol-  
 40265 lowing-named chiefs and head-men of the Sisseton and  
 40266 Wahpaton bands of the Dakota or Sioux tribe of Indians,  
 40267 viz: Maz-zah-shaw, Wamdupidutah, Ojupi, and Hahutanai,  
 40268 on the part of the Sissetons, and Maz-zomanee, Muz-zakoote-manee, Upiyahideyaw, Umpedutokechaw, and Tachandupahotanka, on the part of the Wahpatons, they being duly authorized and empowered to act for said bands.

40272       ARTICLE 1. It is hereby agreed and stipulated that as soon  
 40273 as practicable after the ratification of this agreement, so much  
 40274 of that part of the reservation or tract of land now held and  
 40275 possessed by the Sisseton and Wahpaton bands of the Dakota  
 40276 or Sioux Indians, and which is described in the third article of  
 40277 the treaty made with them on the twenty-third day of July, one  
 40278 thousand eight hundred and fifty-one, which lies south or south-  
 40279 westwardly of the Minnesota River, shall constitute a reservation  
 40280 for said bands, and shall be surveyed, and eighty acres thereof,  
 40281 as near as may be in conformity with the public surveys, be  
 40282 allotted in severalty to each head of a family or single person  
 40283 over the age of twenty-one years, in said bands of Indians;  
 40284 said allotments to be so made as to include a proper proportion  
 40285 of timbered land, if the same be practicable, in each of said  
 40286 allotments. The residue of said part of said reservation not so  
 40287 allotted shall be held by said bands in common, and as other In-  
 40288 dian lands are held: *Provided, however,* That eighty acres there-  
 40289 of, as near as may be, shall, in like manner, as above provided  
 40290 for, be allotted to each of the minors of said bands on his or her  
 40291 attaining their majority, or on becoming heads of families, by  
 40292 contracting marriage, if neither of the parties shall have previ-  
 40293 ously received land. All the necessary expenses of the surveys  
 40294 and allotments thus provided for shall be defrayed out of the  
 40295 funds of said bands of Indians in the hands of the Government  
 40296 of the United States. As the members of said bands become  
 40297 capable of managing their business and affairs, the President of  
 40298 the United States may, at his discretion, cause patents to be is-  
 40299 sued to them for the tracts of land allotted to them, respectively,  
 40300 in conformity with this article; said tracts to be exempt from  
 40301 levy, taxation, sale, or forfeiture until otherwise provided for by  
 40302 the legislature of the State in which they are situated, with the  
 40303 assent of Congress; nor shall they be sold or alienated in fee, or  
 40304 be in any other manner disposed of, except to the United States  
 40305 or to members of said bands.

40306       ARTICLE 2. Whereas, by the treaty with the Sisseton and  
 40307 Wahpaton bands of Sioux Indians, concluded at Traverse des  
 40308 Sioux on the twenty-third day of July, one thousand eight hun-  
 40309 dred and fifty-one, said bands retained for their "future occu-  
 40310 pancy and home," "to be held by them as Indian lands are held,  
 40311 all that tract of country on the Minnesota River, from the west-  
 40312 ern boundary" of the cession therein made "east to the Tcha-  
 40313 tam-ba River on the north, and to the Yellow Medicine River on  
 40314 the south side, to extend on each side a distance of not less than  
 40315 ten miles from the general course of said Minnesota River;"

40316       And whereas the Senate of the United States so amended  
 40317 said treaty as to strike therefrom the provision setting apart the

40318 said land as a home for said bands, and made provision for the  
 40319 payment to said bands, "at the rate of ten cents per acre for  
 40320 the land included in the said tract so retained and set apart for  
 40321 the occupancy and home" of said bands, and also provided in  
 40322 addition thereto that there should be "set apart by appropriate  
 40323 landmarks and boundaries such tracts of country without the  
 40324 limits of the cession made by the first article of the said treaty  
 40325 as shall be satisfactory for their future occupancy and home ;"  
 40326 said Senate amendment providing also "that the President may,  
 40327 with the consent of these Indians, vary the conditions aforesaid,  
 40328 if deemed expedient;" all of which provisions in said amendment  
 40329 were assented to by said Indians;

40330 And whereas the President so far varied the conditions of  
 40331 said Senate amendment as to permit said bands to locate for  
 40332 the time being upon the tract originally reserved by said bands  
 40333 for a home, and "no tract of country, without the limits of the  
 40334 cession" made in the said treaty, has ever been provided for or  
 40335 offered to said bands ;

40336 And whereas, by the act making appropriations for the cur-  
 40337 rent and contingent expenses of the Indian Department, and for  
 40338 fulfilling treaty stipulations with various Indian tribes, approved  
 40339 July 31, 1854, the President was authorized "to confirm to the  
 40340 Sioux of Minnesota, forever, the reserve on the Minnesota River  
 40341 now occupied by them, upon such conditions as he may deem  
 40342 just ;"

40343 And whereas, although the President has not directly con-  
 40344 firmed said reserve to said Indians, they claim that, as they  
 40345 were entitled to receive "such tracts of country" as should "be  
 40346 satisfactory for their future occupancy and home," and as no  
 40347 other country than this reservation was ever provided for or  
 40348 offered to them, and as valuable improvements have been made  
 40349 on said reservation with the moneys belonging to said bands, it  
 40350 is agreed and stipulated that the question shall be submitted to  
 40351 the Senate for decision whether they have such title, and if they  
 40352 have, what compensation shall be made to them for that part of  
 40353 said reservation or tract of land lying on the north side of the  
 40354 Minnesota River ; whether they shall be allowed a specific sum  
 40355 of money therefor, and if so, how much ; or whether the same  
 40356 shall be sold for their benefit, they to receive the proceeds of  
 40357 such sale, deducting the necessary expenses incident thereto.  
 40358 Such sale, if decided in favor of by the Senate, shall be made  
 40359 under and according to regulations to be prescribed by the Sec-  
 40360 retary of the Interior, and in such manner as will secure to them  
 40361 the largest sum it may be practicable to obtain for said land.

40362 ARTICLE 3. It is also agreed that if the Senate shall author-  
 40363 ize the land designated in article two of this agreement to be

40364 sold for the benefit of the said Sisseton and Wahpaton bands,  
 40365 or shall prescribe an amount to be paid to said bands for their  
 40366 interest in said tract, provision shall be made by which the  
 40367 chiefs and head-men of said bands may, in their discretion, in  
 40368 open council, authorize to be paid out of the proceeds of said  
 40369 tract such sum or sums as may be found necessary and proper,  
 40370 not exceeding seventy thousand dollars, to satisfy their just  
 40371 debts and obligations, and to provide goods to be taken by said  
 40372 chiefs and head-men to the said bands on their return: *Provided,*  
 40373 *however,* That their said determinations shall be approved by the  
 40374 superintendent of Indians affairs for the northern superinten-  
 40375 dency for the time being, and the said payments be authorized  
 40376 by the Secretary of the Interior.

40377 ARTICLE 4. The lands retained and to be held by the members  
 40378 of the Sisseton and Wahpaton bands of Dakota or Sioux In-  
 40379 dians, under and by virtue of the first article of this agreement,  
 40380 shall, to all intents and purposes whatever, be deemed and held  
 40381 to be an Indian reservation, and the laws which have been or  
 40382 may hereafter be enacted by Congress to regulate trade and in-  
 40383 tercourse with the Indian tribes, shall have full force and effect  
 40384 over and within the limits of the same; and no person other  
 40385 than the members of said bands, to be ascertained and defined  
 40386 under such regulations as the Secretary of the Interior shall pre-  
 40387 scribe—unless such as may be duly licensed to trade with said  
 40388 bands, or employed for their benefit, or members of the family of  
 40389 such persons—shall be permitted to reside or make any settle-  
 40390 ment upon any part of said reservation; and the timbered land  
 40391 allotted to individuals, and also that reserved for subsequent  
 40392 distribution, as provided in the first article of this agreement,  
 40393 shall be free from all trespass, use, or occupation, except as here-  
 40394 inafter provided.

40395 ARTICLE 5. The United States shall have the right to es-  
 40396 tablish and maintain upon said reservation such military posts,  
 40397 agencies, schools, mills, shops, roads, and agricultural or mechan-  
 40398 ical improvements as may be deemed necessary; but no greater  
 40399 quantity of land or timber shall be taken and used for said pur-  
 40400 poses than shall be actually requisite therefor. And if, in the  
 40401 establishment or maintenance of such posts, agencies, roads, or  
 40402 other improvements, the timber or other property of any indi-  
 40403 vidual Indian shall be taken, injured, or destroyed, just and adequate  
 40404 compensation shall be made therefor by the United States. Roads  
 40405 or highways authorized by competent authority other than the  
 40406 United States, the lines of which shall lie through said reserva-  
 40407 tion, shall have the right of way through the same upon the fair  
 40408 and just value of such right being paid to the said Sisseton and  
 40409 Wahpaton bands by the party or parties authorizing or interested

40410 in the same, to be assessed and determined in such manner as  
40411 the Secretary of the Interior shall direct.

40412 ARTICLE 6. The Sisseton and Wahpaton bands of Dakota  
40413 or Sioux Indians acknowledge their dependence on the Govern-  
40414 ment of the United States, and do hereby pledge and bind  
40415 themselves to preserve friendly relations with the citizens thereof,  
40416 and to commit no injuries or depredations on their persons or  
40417 property, nor on those of the members of any other tribe; but  
40418 in case of any such injury or depredation, full compensation shall  
40419 as far as practicable, be made therefor out of their moneys in the  
40420 hands of the United States, the amount in all cases to be deter-  
40421 mined by the Secretary of the Interior. They further pledge  
40422 themselves not to engage in hostilities with the Indians of any  
40423 other tribe, unless in self-defence, but to submit, through their  
40424 agent, all matters of dispute and difficulty between themselves  
40425 and other Indians for the decision of the President of the United  
40426 States, and to acquiesce in and abide thereby. They also agree  
40427 to deliver to the proper officers all person belonging to their said  
40428 bands who may become offenders against the treaties, laws, or  
40429 regulations of the United States, or the laws of the State of  
40430 Minnesota, and to assist in discovering, pursuing, and capturing  
40431 all such offenders whenever required so to do by such officers,  
40432 through the agent or other proper officer of the Indian Depart-  
40433 ment.

40434 ARTICLE 7. To aid in preventing the evils of intemperance,  
40435 it is hereby stipulated that if any of the members of the said  
40436 Sisseton and Wahpaton bands of Sioux Indians shall drink, or  
40437 procure for others, intoxicating liquors, their proportion of the  
40438 annuities of said bands shall, at the discretion of the Secretary  
40439 of the Interior, be withheld from them for the period of at least  
40440 one year; and for a violation of any of the stipulations of this  
40441 agreement on the part of any member of said bands, the persons  
40442 so offending shall be liable to have their annuities withheld, and  
40443 to be subject to such other punishment as the Secretary of the  
40444 Interior may prescribe.

40445 ARTICLE 8. Any members of said Sisseton and Wahpaton  
40446 bands who may be desirous of dissolving their tribal connection  
40447 and obligations, and of locating beyond the limits of the reserva-  
40448 tion provided for said bands, shall have the privilege of so doing,  
40449 by notifying the United States agent of such intention, and  
40450 making an actual settlement beyond the limits of said reserva-  
40451 tion; shall be vested with all the rights, privileges, and im-  
40452 munities, and be subject to all the laws, obligations, and duties  
40453 of citizens of the United States; but such procedure shall work  
40454 no forfeiture on their part of the right to share in the annuities  
40455 of said bands.

40456 ARTICLE 9. Such of the stipulations of the former treaties  
 40457 as provide for the payment of particular sums of money to the  
 40458 said Sisseeton and Wahpaton bands, or for the application or  
 40459 expenditure of specific amounts for particular objects or pur-  
 40460 poses, shall be, and hereby are, so amended and changed as to  
 40461 invest the Secretary of the Interior with discretionary power in  
 40462 regard to the manner and objects of the annual expenditure of  
 40463 all such sums or amounts which have accrued and are now due  
 40464 to said bands, together with the amount the said bands shall be-  
 40465 come annually entitled to under and by virtue of the provisions  
 40466 of this agreement: *Provided*, The said sums or amounts shall be  
 40467 expended for the benefit of said bands at such time or times and  
 40468 in such manner as the said Secretary shall deem best calculated  
 40469 to promote their interests, welfare, and advance in civilization.  
 40470 And it is further agreed that such change may be made in the  
 40471 stipulations of former treaties, which provide for the payment of  
 40472 particular sums for specified purposes, as to permit the chiefs  
 40473 and braves of said bands, or any of the subdivisions of said  
 40474 bands, with the sanction of the Secretary of the Interior, to  
 40475 authorize such payment or expenditure of their annuities, or any  
 40476 portion thereof, which are to become due hereafter, as may be  
 40477 deemed best for the general interests and welfare of the said  
 40478 bands or subdivisions thereof.

40479 ARTICLE 10. The expenses attending the negotiation of this  
 40480 agreement shall be defrayed by the United States.

40481 (See note on page 890.)

40482 Proclaimed March 31, 1859.

40483 RESOLUTION OF THE SENATE OF THE UNITED STATES.

40484 *Right and title of certain bands of Sioux Indians to lands em-*  
 40485 *braced in reservations on the Minnesota River.*

40486 IN THE SENATE OF THE UNITED STATES,

40487 *June 27, 1860.*

40488 Whereas by the second articles of the treaties of June  
 40489 19, 1858, (proclaimed March 31, 1859; see page 885,) with  
 40490 the Med-a-wa-kanton and Wah-pa-koo-ta, and the Sisseeton  
 40491 and Wah-pa-ton bands of the Dacotah or Sioux Indians, it  
 40492 is submitted to the Senate to decide as to the right or title of  
 40493 said bands of Indians to the lands embraced in the reserva-  
 40494 tion occupied by them on the Minnesota River, in the State  
 40495 of Minnesota, and what compensation shall be made to them  
 40496 for those portions of said reservations lying on the north side of  
 40497 that river, which they agreed by said treaties to surrender and

40498 relinquish to the United States; "whether they shall be allowed  
 40499 a specified sum in money therefor, and, if so, how much, or  
 40500 whether the same shall be sold for their benefit, they to receive  
 40501 the proceeds of such sale, deducting the necessary expenses in-  
 40502 cident thereto;" and

40503 Whereas said Indians were permitted to retain and occupy  
 40504 said reservations in lieu of other lands which they were entitled  
 40505 to under the amendments of the Senate to the treaties made  
 40506 with them in the year 1851, (proclaimed February 24, 1853; see  
 40507 page 882,) and large amounts of the money of said Indians  
 40508 have been expended by the Government in improvements and  
 40509 otherwise upon the lands contained in said reservations;  
 40510 and

40511 Whereas by act of Congress of July 31, 1854, said reserva-  
 40512 tions were authorized to be confirmed to those Indians:

40513 *Resolved*, That said Indians possessed a just and valid right  
 40514 and title to said reservations, and that they be allowed the sum  
 40515 of thirty cents per acre for the lands contained in that portion  
 40516 thereof lying on the north side of the Minnesota River, exclusive  
 40517 of the cost of survey and sale, or any contingent expense that  
 40518 may accrue whatever, which by the treaties of June, 1858, they  
 40519 have relinquished and given up to the United States.

40520 *Resolved further*, That all persons who have, in good faith,  
 40521 settled and made improvements upon any of the lands contained  
 40522 in said reservations, believing the same to be Government lands,  
 40523 shall have the right of pre-emption to one hundred and sixty  
 40524 acres thereof, to include their improvements, on paying the sum  
 40525 of one dollar and twenty-five cents per acre therefor: *Provided*,  
 40526 That when such settlements have been made on the lands of the  
 40527 Indians on the south side of the Minnesota River, the assent  
 40528 of the Indians shall first be obtained, in such manner as the Sec-  
 40529 retary of the Interior shall prescribe, and that the amount which  
 40530 shall be so paid for their lands shall be so paid into the Treasury  
 40531 of the United States.

40532 Attest:

40533 ASBURY DICKINS,  
 40534 *Secretary.*

40535 *Treaty between the United States of America and the Sissiton and*  
 40536 *Warpeton bands of Dakota or Sioux Indians, concluded Feb-*  
 40537 *ruary 19, 1867; ratification advised, with amendments, April*  
 40538 *15, 1867; amendments accepted April 22, 1867; proclaimed*  
 40539 *May 2, 1867.*

40540 ANDREW JOHNSON, President of the United States of America,  
 40541 to all and singular to whom these presents shall come,  
 40542 greeting:

40543       Whereas a treaty was made and concluded at the city of  
 40544 Washington, in the District of Columbia, on the nineteenth day  
 40545 of February, in the year of our Lord one thousand eight hun-  
 40546 dred and sixty-seven, by and between Lewis V. Bogy and Will-  
 40547 iam H. Watson, commissioners on the part of the United States,  
 40548 and Gabriel Renville, Wamdiupiduta, Tacandupahotanka, and  
 40549 other chiefs and head-men of the Sissiton and Warpeton bands  
 40550 of Dakota or Sioux Indians, on the part of said Indians, and duly  
 40551 authorized thereto by them, which treaty is in the words and  
 40552 figures following, to wit :

40553       Whereas it is understood that a portion of the Sissiton and  
 40554 Warpeton bands of Santee Sioux Indians, numbering from  
 40555 twelve hundred to fifteen hundred persons, not only preserved  
 40556 their obligations to the Government of the United States during  
 40557 and since the outbreak of the Medewakantons and other bands  
 40558 of Sioux, in 1862, but freely perilled their lives during that out-  
 40559 break to rescue the residents on the Sioux reservation, and to  
 40560 obtain possession of white women and children made captives  
 40561 by the hostile bands; and that another portion of said Sissiton  
 40562 and Warpeton bands, numbering from one thousand to twelve  
 40563 hundred persons, who did not participate in the massacre of the  
 40564 whites in 1862, fearing the indiscriminate vengeance of the  
 40565 whites, fled to the great prairies of the Northwest, where they  
 40566 still remain; and

40567       Whereas Congress, in confiscating the Sioux annuities and  
 40568 reservations, made no provision for the support of these, the  
 40569 friendly portion of the Sissiton and Warpeton bands, and it is  
 40570 believed [that] they have been suffered to remain homeless wan-  
 40571 derers, frequently subject to intense suffering from want of sub-  
 40572 sistence, and clothing to protect them from the rigors of a high  
 40573 northern latitude, although at all times prompt in rendering ser-  
 40574 vice when called upon to repel hostile raids and to punish dep-  
 40575 redations committed by hostile Indians upon the persons and  
 40576 property of the whites; and

40577       Whereas the several subdivisions of the friendly Sissitons  
 40578 and Warpeton bands ask, through their representatives, that  
 40579 their adherence to their former obligations of friendship to the  
 40580 Government and people of the United States be recognized, and  
 40581 that provision be made to enable them to return to an agricul-  
 40582 tural life, and be relieved from a dependence upon the chase for  
 40583 a precarious subsistence: Therefore,

40584       A treaty has been made and entered into, at Washington  
 40585 City, District of Columbia, this nineteenth day of February, A.  
 40586 D. 1867, by and between Lewis V. Bogy, Commissioner of Indian  
 40587 Affairs, and William H. Watson, commissioners on the part of  
 40588 the United States, and the undersigned chiefs and head-men of

40589 the Sissiton and Warpeton bands of Dakota or Sioux Indians, as  
40590 follows, to wit :

40591       ARTICLE 1. The Sissiton and Warpeton bands of Dakota  
40592 Sioux Indians, represented in council, will continue their friendly  
40593 relations with the Government and people of the United States,  
40594 and bind themselves individually and collectively to use their  
40595 influence to the extent of their ability to prevent other bands of  
40596 Dakota or other adjacent tribes from making hostile demonstra-  
40597 tions against the Government or people of the United States.

40598       ARTICLE 2. The said bands hereby cede to the United  
40599 States the right to construct wagon-roads, railroads, mail sta-  
40600 tions, telegraph lines, and such other public improvements as  
40601 the interest of the Government may require, over and across the  
40602 lands claimed by said bands, (including their reservation, as  
40603 hereinafter designated,) over any route or routes that *that* may  
40604 be selected by the authority of the Government ; said lands, so  
40605 claimed, being bounded on the south and east by the treaty-line  
40606 of 1851, (proclaimed January 24, 1853 ; see page 879,) and the  
40607 Red River of the North to the mouth of Goose River ; on the  
40608 north by the Goose River and a line running from the source  
40609 thereof by the most westerly point of Devil's Lake to the Chief's  
40610 Bluff at the head of James River, and on the west by the James  
40611 River to the mouth of Mocasín River, and thence to Kampeska  
40612 Lake.

40613       ARTICLE 3. For and in consideration of the cession above  
40614 mentioned, and in consideration of the faithful and important  
40615 services said to have been rendered by the friendly bands of  
40616 Sissitons and Warpetons Sioux here represented, and also in  
40617 consideration of the confiscation of all their annuities, reserva-  
40618 tions, and improvements, it is agreed that there shall be set  
40619 apart for the members of said bands who have heretofore sur-  
40620 rendered to the authorities of the Government, and were not  
40621 sent to the Crow Creek reservation, and for the members of said  
40622 bands who were released from prison in 1866, the following-de-  
40623 scribed lands as a permanent reservation, viz :

40624       Beginning at the head of Lake Travers[e], and thence along  
40625 the treaty-line of the treaty of 1851 to Kampeska Lake ; thence  
40626 in a direct line to Reipan or the northeast point of the Coteau  
40627 des Prairie[s], and thence passing north of Skunk Lake on the  
40628 most direct line to the foot of Lake Traverse, and thence along  
40629 the treaty-line of 1851 to the place of beginning.

40630       ARTICLE 4. It is further agreed that a reservation be set  
40631 apart for all other members of said bands who were not sent to  
40632 the Crow Creek reservation, and also for the Cut-Head bands  
40633 of Yanktonais Sioux a reservation bounded as follows, viz :

40634       Beginning at the most easterly point of Devil's Lake ; thence

40635 along the waters of said lake to the most westerly point of the  
 40636 same; thence on a direct line to the nearest point on the Chey-  
 40637 enne River; thence down said river to a point opposite the  
 40638 lower end of Aspen Island, and thence on a direct line to the  
 40639 place of beginning.

40640 ARTICLE 5. The said reservations shall be apportioned in  
 40641 tracts of (160) one hundred and sixty acres to each head of a  
 40642 family or single person over the age of (21) twenty-one years,  
 40643 belonging to said bands and entitled to locate thereon, who may  
 40644 desire to locate permanently and cultivate the soil as a means  
 40645 of subsistence: each (160) one hundred and sixty acres so al-  
 40646 lotted to be made to conform to the legal subdivisions of the  
 40647 Government surveys when such surveys shall have been made;  
 40648 and every person to whom lands may be allotted under the pro-  
 40649 visions of this article, who shall occupy and cultivate a portion  
 40650 thereof for five consecutive years, shall thereafter be entitled to  
 40651 receive a patent for the same so soon as he shall have fifty acres  
 40652 of said tract fenced, ploughed, and in crop: *Provided*, [That]  
 40653 said patent shall not authorize any transfer of said lands, or por-  
 40654 tions thereof, except to the United States, but said lands and the  
 40655 improvements thereon shall descend to the proper heirs of the  
 40656 persons obtaining a patent.

40657 ARTICLE 6. And, further, in consideration of the destitu-  
 40658 tion of said bands of Sissiton and Warpeton Sioux, parties here-  
 40659 to, resulting from the confiscation of their annuities and improve-  
 40660 ments, it is agreed that Congress will, in its own discretion, from  
 40661 time to time make such appropriations as may be deemed re-  
 40662 quisite to enable said Indians to return to an agricultural life  
 40663 under the system in operation on the Sioux reservation in 1862;  
 40664 including, if thought advisable, the establishment and sup-  
 40665 port of local and manual-labor schools; the employment of ag-  
 40666 ricultural, mechanical, and other teachers; the opening and  
 40667 improvement of individual farms, and generally such objects as  
 40668 Congress in its wisdom shall deem necessary to promote the  
 40669 agricultural improvement and civilization of said bands.

40670 ARTICLE 7. An agent shall be appointed for said bands  
 40671 who shall be located at Lake Traverse; and whenever there  
 40672 shall be five hundred (500) persons of said bands permanently  
 40673 located upon the Devil's Lake reservation, there shall be an  
 40674 agent or other competent person appointed to superintend at  
 40675 that place the agricultural, educational, and mechanical interests  
 40676 of said bands.

40677 ARTICLE 8. All expenditures under the provisions of this  
 40678 treaty shall be made for the agricultural improvement and civ-  
 40679 ilization of the members of said bands authorized to locate upon  
 40680 the respective reservations, as hereinbefore specified, in such

manner as may be directed by law ; but no goods, provisions, groceries, or other articles, except materials for the erection of houses and articles to facilitate the operations of agriculture, shall be issued to Indians or mixed-bloods on either reservation unless it be in payment for labor performed or for produce delivered : *Provided*, That, when persons located on either reservation, by reason of age, sickness, or deformity, are unable to labor, the agent may issue clothing and subsistence to such persons from such supplies as may be provided for said bands.

ARTICLE 9. The withdrawal of the Indians from all dependence upon the chase as a means of subsistence being necessary to the adoption of civilized habits among them, it is desirable that no encouragement be afforded them to continue their hunting operations as means of support, and, therefore, it is agreed that no person will be authorized to trade for furs or peltries within the limits of the land claimed by said bands, as specified in the second article of this treaty, it being contemplated that the Indians will rely solely upon agricultural and mechanical labor for subsistence, and that the agent will supply the Indians and mixed-bloods on the respective reservations with clothing, provisions, &c., as set forth in article eight, so soon as the same shall be provided for that purpose. And it is further agreed that no person not a member of said bands, parties hereto, whether white, mixed-blood, or Indian, except persons in the employ of the Government, or located under its authority, shall be permitted to locate upon said lands either for hunting, trapping, or agricultural purposes.

ARTICLE 10. The chiefs and head-men located upon either of the reservations set apart for said bands are authorized to adopt such rules, regulations, or laws for the security of life and property, the advancement of civilization, and the agricultural prosperity of the members of said bands upon the respective reservations, and shall have authority, under the direction of the agent and without expense to the Government, to organize a force sufficient to carry out all such rules, regulations, or laws, and all rules and regulations for the government of said Indians, as may be prescribed by the Interior Department : *Provided*, That all rules, regulations, or laws adopted or amended by the chiefs and head-men on either reservation shall receive the sanction of the agent. (See note on page 890.)

Proclaimed May 2, 1867.

40722 SIOUX—DIFFERENT TRIBES, BRULES, O'GULLALAS,  
40723 ETC.

40724 *Treaty between the United States of America and different tribes*  
40725 *of Sioux Indians, concluded April 29 et seq., 1868; ratifica-*  
40726 *tion advised February 16, 1869.*

40727 ANDREW JOHNSON, President of the United States of America,  
40728 to all and singular to whom these presents shall come,  
40729 greeting :

40730 Whereas a treaty was made and concluded at Fort Laramie,  
40731 in the Territory of Dakota, [now in the Territory of Wyoming,]  
40732 on the twenty-ninth day of April, and afterwards, in the year of  
40733 our Lord one thousand eight hundred and sixty-eight, by and  
40734 between Nathaniel G. Taylor, William T. Sherman, William S.  
40735 Harney, John B. Sanborn, S. F. Tappan, C. C. Augur, and Alfred  
40736 H. Terry, commissioners on the part of the United States, and  
40737 Ma-za-pon-kaska, Tah-shun-ka-co-qui-pah, Heh-won-ge-chat, Mah-  
40738 to non-pah, Little Chief, Makh-pi-ah-lu-tah, Co-cam-i-ya-ya, Con-  
40739 te-pe-ta, Ma-wa-tau-ni-hav-ska, He-na-pin-wa-ni-ca, Wah-pah-  
40740 shaw, and other chiefs and head-men of different tribes of Sioux  
40741 Indians, on the part of said Indians, and duly authorized thereto  
40742 by them, which treaty is in the words and figures following, to  
40743 wit :

40744 Articles of a treaty made and concluded by and between Lien-  
40745 tenant-General William T. Sherman, General William S.  
40746 Harney, General Alfred H. Terry, General C. C. Augur, J. B.  
40747 Henderson, Nathaniel G. Taylor, John B. Sanborn, and  
40748 Samuel F. Tappan, duly appointed commissioners on the  
40749 part of the United States, and the different bands of the  
40750 Sioux Nation of Indians, by their chiefs and head-men, whose  
40751 names are hereto subscribed, they being duly authorized to  
40752 act in the premises.

40753 ARTICLE 1. From this day forward all war between the  
40754 parties to this agreement shall forever cease. The Government  
40755 of the United States desires peace, and its honor is hereby  
40756 pledged to keep it. The Indians desire peace, and they now  
40757 pledge their honor to maintain it.

40758 If bad men among the whites, or among other people subject  
40759 to the authority of the United States, shall commit any wrong  
40760 upon the person or property of the Indians, the United States  
40761 will, upon proof made to the agent and forwarded to the Com-  
40762 missioner of Indian Affairs at Washington City, proceed at once  
40763 to cause the offender to be arrested and punished according to  
40764 the laws of the United States, and also re-imburse the injured  
40765 person for the loss sustained.

40766 If bad men among the Indians shall commit a wrong or  
 40767 depredation upon the person or property of any one, white,  
 40768 black, or Indian, subject to the authority of the United States,  
 40769 and at peace therewith, the Indians herein named solemnly  
 40770 agree that they will, upon proof made to their agent and notice  
 40771 by him, deliver up the wrong-doer to the United States, to be  
 40772 tried and punished according to its laws; and in case they wil-  
 40773 fully refuse so to do, the person injured shall be re-imbursed for  
 40774 his loss from the annuities or other moneys due or to become  
 40775 due to them under this or other treaties made with the United  
 40776 States. And the President, on advising with the Commissioner  
 40777 of Indian Affairs, shall prescribe such rules and regulations for  
 40778 ascertaining damages under the provisions of this article as in  
 40779 his judgment may be proper. But no one sustaining loss while  
 40780 violating the provisions of this treaty or the laws of the United  
 40781 States shall be re-imbursed therefor.

40782 ARTICLE 2. The United States agrees that the following  
 40783 district of country, to wit, viz: commencing on the east bank of  
 40784 the Missouri River where the forty-sixth parallel of north lati-  
 40785 tude crosses the same; thence along low-water mark down said  
 40786 east bank to a point opposite where the northern line of the  
 40787 State of Nebraska strikes the river; thence west across said  
 40788 river and along the northern line of Nebraska to the one hun-  
 40789 dred and fourth degree of longitude west from Greenwich;  
 40790 thence north on said meridian to a point where the forty-sixth  
 40791 parallel of north latitude intercepts the same; thence due east  
 40792 along said parallel to the place of beginning; and, in addition  
 40793 thereto, all existing reservations on the east bank of said river  
 40794 shall be, and the same is, set apart for the absolute and undis-  
 40795 turbed use and occupation of the Indians herein named, and for  
 40796 such other friendly tribes or individual Indians as from time to  
 40797 time they may be willing, with the consent of the United States,  
 40798 to admit amongst them; and the United States now solemnly  
 40799 agrees that no persons except those herein designated and  
 40800 authorized so to do, and except such officers, agents, and em-  
 40801 ployés of the Government as may be authorized to enter upon  
 40802 Indian reservations in discharge of duties enjoined by law, shall  
 40803 ever be permitted to pass over, settle upon, or reside in the ter-  
 40804 ritory described in this article, or in such territory as may be  
 40805 added to this reservation for the use of said Indians, and hence-  
 40806 forth they will, and do hereby, relinquish all claims or right in  
 40807 and to any portion of the United States or Territories, except  
 40808 such as is embraced within the limits aforesaid, and except as  
 40809 hereinafter provided.

40810 ARTICLE 3. If it should appear from actual survey or other  
 40811 satisfactory examination of said tract of land that it contains

40812 less than one hundred and sixty acres of tillable land for each  
 40813 person who, at the time, may be authorized to reside on it under  
 40814 the provisions of this treaty, and a very considerable number of  
 40815 such persons shall be disposed to commence cultivating the soil  
 40816 as farmers, the United States agrees to set apart, for the use of  
 40817 said Indians, as herein provided, such additional quantity of  
 40818 arable land, adjoining to said reservation, or as near to the same  
 40819 as it can be obtained, as may be required to provide the necessary  
 40820 amount.

40821 ARTICLE 4. The United States agrees, at its own proper  
 40822 expense, to construct at some place on the Missouri River, near  
 40823 the centre of said reservation, where timber and water may be  
 40824 convenient, the following buildings, to wit: a warehouse, a  
 40825 store-room for the use of the agent in storing goods belonging to  
 40826 the Indians, to cost not less than twenty-five hundred dollars;  
 40827 an agency-building for the residence of the agent, to cost not  
 40828 exceeding three thousand dollars; a residence for the physician,  
 40829 to cost not more than three thousand dollars; and five other  
 40830 buildings, for a carpenter, farmer, blacksmith, miller, and engi-  
 40831 neer, each to cost not exceeding two thousand dollars; also a  
 40832 school-house or mission-building, so soon as a sufficient number  
 40833 of children can be induced by the agent to attend school, which  
 40834 shall not cost exceeding five thousand dollars.

40835 The United States agrees further to cause to be erected on  
 40836 said reservation, near the other buildings herein authorized, a  
 40837 good steam circular-saw mill, with a grist-mill and shingle-  
 40838 machine attached to the same, to cost not exceeding eight thou-  
 40839 sand dollars.

40840 ARTICLE 5. The United States agrees that the agent for  
 40841 said Indians shall in the future make his home at the agency-  
 40842 building; that he shall reside among them, and keep an office  
 40843 open at all times for the purpose of prompt and diligent inquiry  
 40844 into such matters of complaint by and against the Indians as  
 40845 may be presented for investigation under the provisions of their  
 40846 treaty stipulations, as also for the faithful discharge of other  
 40847 duties enjoined on him by law. In all cases of depredation on  
 40848 person or property he shall cause the evidence to be taken in  
 40849 writing and forwarded, together with his findings, to the Com-  
 40850 missioner of Indian Affairs, whose decision, subject to the revision  
 40851 of the Secretary of the Interior, shall be binding on the parties  
 40852 to this treaty.

40853 ARTICLE 6. If any individual belonging to said tribes of  
 40854 Indians, or legally incorporated with them, being the head of a  
 40855 family, shall desire to commence farming, he shall have the  
 40856 privilege to select, in the presence and with the assistance of  
 40857 the agent then in charge, a tract of land within said reservation,

40858 not exceeding three hundred and twenty acres in extent, which  
 40859 tract, when so selected, certified, and recorded in the "land-book,"  
 40860 as herein directed, shall cease to be held in common, but the  
 40861 same may be occupied and held in the exclusive possession of  
 40862 the person selecting it, and of his family, so long as he or they  
 40863 may continue to cultivate it.

40864 Any person over eighteen years of age, not being the head  
 40865 of a family, may, in like manner, select and cause to be certified  
 40866 to him or her, for purposes of cultivation, a quantity of land not  
 40867 exceeding eighty acres in extent, and thereupon be entitled to  
 40868 the exclusive possession of the same as above directed.

40869 For each tract of land so selected, a certificate, containing a  
 40870 description thereof and the name of the person selecting it, with  
 40871 a certificate endorsed thereon that the same has been recorded,  
 40872 shall be delivered to the party entitled to it, by the agent, after  
 40873 the same shall have been recorded by him in a book to be kept  
 40874 in his office, subject to inspection, which said book shall be  
 40875 known as the "Sioux Land-Book."

40876 The President may, at any time, order a survey of the res-  
 40877 ervation, and, when so surveyed, Congress shall provide for pro-  
 40878 tecting the rights of said settlers in their improvements, and  
 40879 may fix the character of the title held by each. The United  
 40880 States may pass such laws on the subject of alienation and de-  
 40881 scent of property between the Indians and their descendants as  
 40882 may be thought proper. And it is further stipulated that any  
 40883 male Indians, over eighteen years of age, of any band or tribe  
 40884 that is or shall hereafter become a party to this treaty, who now  
 40885 is or who shall hereafter become a resident or occupant of any  
 40886 reservation or Territory not included in the tract of country des-  
 40887 ignated and described in this treaty for the permanent home of  
 40888 the Indians, which is not mineral land, nor reserved by the  
 40889 United States for special purposes other than Indian occupation,  
 40890 and who shall have made improvements thereon of the value of  
 40891 two hundred dollars or more, and continuously occupied the  
 40892 same as a homestead for the term of three years, shall be enti-  
 40893 tled to receive from the United States a patent for one hundred  
 40894 and sixty acres of land including his said improvements, the  
 40895 same to be in the form of the legal subdivisions of the surveys  
 40896 of the public lands. Upon application in writing, sustained by  
 40897 the proof of two disinterested witnesses, made to the register of  
 40898 the local land-office when the land sought to be entered is within  
 40899 a land district, and when the tract sought to be entered is not  
 40900 in any land district, then upon said application and proof being  
 40901 made to the Commissioner of the General Land-Office, and the  
 40902 right of such Indian or Indians to enter such tract or tracts of  
 40903 land shall accrue and be perfect from the date of his first improve-

40904 ments thereon, and shall continue as long as he continues his  
 40905 residence and improvements, and no longer. And any Indian  
 40906 or Indians receiving a patent for land under the foregoing pro-  
 40907 visions shall thereby and from thenceforth become and be a  
 40908 citizen of the United States, and be entitled to all the privileges  
 40909 and immunities of such citizens, and shall, at the same time,  
 40910 retain all his rights to benefits accruing to Indians under this  
 40911 treaty.

40912 ARTICLE 7. In order to insure the civilization of the Indians  
 40913 entering into this treaty, the necessity of education is admitted,  
 40914 especially of such of them as are or may be settled on said agri-  
 40915 cultural reservations, and they therefore pledge themselves to  
 40916 compel their children, male and female, between the ages of six  
 40917 and sixteen years, to attend school; and it is hereby made the  
 40918 duty of the agent for said Indians to see that this stipulation is  
 40919 strictly complied with; and the United States agrees that for  
 40920 every thirty children between said ages who can be induced or  
 40921 compelled to attend school, a house shall be provided and a  
 40922 teacher competent to teach the elementary branches of an Eng-  
 40923 lish education shall be furnished, who will reside among said  
 40924 Indians, and faithfully discharge his or her duties as a teacher.  
 40925 The provisions of this article to continue for not less than twenty  
 40926 years.

40927 ARTICLE 8. When the head of a family or lodge shall have  
 40928 selected lands and received his certificate as above directed, and  
 40929 the agent shall be satisfied that he intends in good faith to com-  
 40930 mence cultivating the soil for a living, he shall be entitled to  
 40931 receive seeds and agricultural implements for the first year, not  
 40932 exceeding in value one hundred dollars, and for each succeeding  
 40933 year he shall continue to farm, for a period of three years more,  
 40934 he shall be entitled to receive seeds and implements as aforesaid,  
 40935 not exceeding in value twenty-five dollars.

40936 And it is further stipulated that such persons as commence  
 40937 farming shall receive instruction from the farmer herein provided  
 40938 for, and whenever more than one hundred persons shall enter  
 40939 upon the cultivation of the soil, a second blacksmith shall be  
 40940 provided, with such iron, steel, and other material as may be  
 40941 needed.

40942 ARTICLE 9. At any time after ten years from the making of  
 40943 this treaty, the United States shall have the privilege of with-  
 40944 drawing the physician, farmer, blacksmith, carpenter, engineer,  
 40945 and miller herein provided for, but in case of such withdrawal  
 40946 an additional sum thereafter of ten thousand dollars per annum  
 40947 shall be devoted to the education of said Indians, and the Com-  
 40948 missioner of Indian Affairs shall, upon careful inquiry into their  
 40949 condition, make such rules and regulations for the expenditure

40950 of said sum as will best promote the educational and moral im-  
 40951 provement of said tribes.

40952 ARTICLE 10. In lieu of all sums of money or other annuities  
 40953 provided to be paid to the Indians herein named, under any  
 40954 treaty or treaties heretofore made, the United States agrees to  
 40955 deliver at the agency-house on the reservation herein named,  
 40956 on [or before] the first day of August of each year, for thirty  
 40957 years, the following articles, to wit:

40958 For each male person over fourteen years of age, a suit of  
 40959 good substantial woolen clothing, consisting of coat, pantaloons,  
 40960 flannel shirt, hat, and a pair of home-made socks.

40961 For each female over twelve years of age, a flannel skirt,  
 40962 or the goods necessary to make it, a pair of woolen hose, twelve  
 40963 yards of calico, and twelve yards of cotton domestics.

40964 For the boys and girls under the ages named, such flannel  
 40965 and cotton goods as may be needed to make each a suit as afore-  
 40966 said, together with a pair of woolen hose for each.

40967 And in order that the Commissioner of Indian Affairs may  
 40968 be able to estimate properly for the articles herein named, it  
 40969 shall be the duty of the agent each year to forward to him a full  
 40970 and exact census of the Indians, on which the estimate from  
 40971 year to year can be based.

40972 And in addition to the clothing herein named, the sum of  
 40973 ten dollars for each person entitled to the beneficial effects of  
 40974 this treaty shall be annually appropriated for a period of thirty  
 40975 years, while such persons roam and hunt, and twenty dollars for  
 40976 each person who engages in farming, to be used by the Secre-  
 40977 tary of the Interior in the purchase of such articles as from time  
 40978 to time the condition and necessities of the Indians may indicate  
 40979 to be proper. And if within the thirty years, at any time, it  
 40980 shall appear that the amount of money needed for clothing  
 40981 under this article can be appropriated to better uses for the In-  
 40982 dians named herein, Congress may, by law, change the appro-  
 40983 priation to other purposes; but in no event shall the amount of  
 40984 this appropriation be withdrawn or discontinued for the period  
 40985 named. And the President shall annually detail an officer of  
 40986 the Army to be present and attest the delivery of all the goods  
 40987 herein named to the Indians, and he shall inspect and report on  
 40988 the quantity and quality of the goods and the manner of their  
 40989 delivery. And it is hereby expressly stipulated that each In-  
 40990 dian over the age of four years, who shall have removed to and  
 40991 settled permanently upon said reservation and complied with  
 40992 the stipulations of this treaty, shall be entitled to receive from  
 40993 the United States for the period of four years after he shall have  
 40994 settled upon said reservation, one pound of meat and one pound  
 40995 of flour per day, provided the Indians cannot furnish their own

40996 subsistence at an earlier date. And it is further stipulated that  
 40997 the United States will furnish and deliver to each lodge of In-  
 40998 dians or family of persons legally incorporated with them, who  
 40999 shall remove to the reservation herein described and commence  
 41000 farming, one good American cow, and one good well-broken pair  
 41001 of American oxen within sixty days after such lodge or family  
 41002 shall have so settled upon said reservation.

41003 ARTICLE 11. In consideration of the advantages and bene-  
 41004 fits conferred by this treaty, and the many pledges of friendship  
 41005 by the United States, the tribes who are parties to this agree-  
 41006 ment hereby stipulate that they will relinquish all right to  
 41007 occupy permanently the territory outside their reservation as  
 41008 herein defined, but yet reserve the right to hunt on any lands  
 41009 north of North Platte, and on the Republican Fork of the Smoky  
 41010 Hill River, so long as the buffalo may range thereon in such  
 41011 numbers as to justify the chase. And they, the said Indians,  
 41012 further expressly agree :

41013 1st. That they will withdraw all opposition to the construc-  
 41014 tion of the railroads now being built on the plains.

41015 2d. That they will permit the peaceful construction of any  
 41016 railroad not passing over their reservation as herein defined.

41017 3d. That they will not attack any persons at home or travel-  
 41018 ling, nor molest or disturb any wagon-trains, coaches, mules, or  
 41019 cattle belonging to the people of the United States or to per-  
 41020 sons friendly therewith.

41021 4th. They will never capture or carry off from the settle-  
 41022 ments white women or children.

41023 5th. They will never kill or scalp white men, nor attempt to  
 41024 do them harm.

41025 6th. They withdraw all pretence of opposition to the con-  
 41026 struction of the railroad now being built along the Platte River  
 41027 and westward to the Pacific Ocean, and they will not in future  
 41028 object to the construction of railroads, wagon-roads, mail-sta-  
 41029 tions, or other works of utility or necessity which may be ordered  
 41030 or permitted by the laws of the United States. But should  
 41031 such roads or other works be constructed on the lands of their  
 41032 reservation, the Government will pay the tribe whatever amount  
 41033 of damage may be assessed by three disinterested commission-  
 41034 ers, to be appointed by the President for that purpose, one of  
 41035 said commissioners to be a chief or head-man of the tribe.

41036 7th. They agree to withdraw all opposition to the military  
 41037 posts or roads now established south of the North Platte River,  
 41038 or that may be established, not in violation of treaties hereto-  
 41039 fore made or hereafter to be made with any of the Indian tribes.

41040 ARTICLE 12. No treaty for the cession of any portion or  
 41041 part of the reservation herein described which may be held in

41042 common shall be of any validity or force as against the said  
 41043 Indians unless executed and signed by at least three-fourths of  
 41044 all the adult male Indians occupying and interested in the same;  
 41045 and no cession by the tribe shall be understood or construed in  
 41046 such manner as to deprive, without his consent, any individual  
 41047 member of the tribe of his rights to any tract of land selected  
 41048 by him, as provided in article 6 of this treaty.

41049 ARTICLE 13. The United States hereby agrees to furnish  
 41050 annually to the Indians the physician, teachers, carpenter, mill-  
 41051 er, engineer, farmer, and blacksmiths as herein contemplated,  
 41052 and that such appropriations shall be made from time to time,  
 41053 on the estimates of the Secretary of the Interior, as will be  
 41054 sufficient to employ such persons.

41055 ARTICLE 14. It is agreed that the sum of five hundred dol-  
 41056 lars annually, for three years from date, shall be expended in  
 41057 presents to the ten persons of said tribe who, in the judgment  
 41058 of the agent, may grow the most valuable crops for the respect-  
 41059 ive year.

41060 ARTICLE 15. The Indians herein named agree that when the  
 41061 agency-house or other buildings shall be constructed on the  
 41062 reservation named, they will regard the said reservation their  
 41063 permanent home, and they will make no permanent settlement  
 41064 elsewhere; but they shall have the right, subject to the con-  
 41065 ditions and modifications of this treaty, to hunt, as stipulated  
 41066 in Article 11 hereof.

41067 ARTICLE 16. The United States hereby agrees and stipu-  
 41068 lates that the country north of the North Platte River and east  
 41069 of the summits of the Big Horn Mountains shall be held and  
 41070 considered to be unceded Indian territory, and also stipulates  
 41071 and agrees that no white person or persons shall be permitted  
 41072 to settle upon or occupy any portion of the same, or, without  
 41073 the consent of the Indians first had and obtained, to pass  
 41074 through the same; and it is further agreed by the United States  
 41075 that within ninety days after the conclusion of peace with all  
 41076 the bands of the Sioux Nation, the military posts now estab-  
 41077 lished in the territory in this article named shall be abandoned,  
 41078 and that the road leading to them and by them to the settle-  
 41079 ments in the Territory of Montana shall be closed.

41080 ARTICLE 17. It is hereby expressly understood and agreed  
 41081 by and between the respective parties to this treaty that the  
 41082 execution of this treaty and its ratification by the United States  
 41083 Senate shall have the effect and shall be construed as abrogat-  
 41084 ing and annulling all treaties and agreements heretofore entered  
 41085 into between the respective parties hereto, so far as such treaties  
 41086 and agreements obligate the United States to furnish and pro-

41087 vide money, clothing, or other articles of property to such In-  
 41088 dians and bands of Indians as become parties to this treaty, but  
 41089 no further.

41090 Proclaimed February 24, 1869.

41091 *Articles concluded at Fort Stanwix, on the twenty-second day of*  
 41092 *October, one thousand seven hundred and eighty-four, between*  
 41093 *Oliver Wolcott, Richard Butler, and Arthur Lee, commis-*  
 41094 *sioners plenipotentiary from the United States, in Congress*  
 41095 *assembled, on the one part, and the sachems and warriors of*  
 41096 *the Six Nations on the other.*

41097 The United States of America give peace to the Senecas,  
 41098 Mohawks, Onondagas, and Cayugas, and receive them into their  
 41099 protection upon the following conditions:

41100 ARTICLE 1. Six hostages shall be immediately delivered to  
 41101 the commissioners by the said nations, to remain in possession  
 41102 of the United States till all the prisoners, white and black,  
 41103 which were taken by the said Senecas, Mohawks, Onondagas,  
 41104 and Cayugas, or by any of them, in the late war, from among  
 41105 the people of the United States, shall be delivered up.

41106 ARTICLE 2. The Oneida and Tuscarora Nations shall be  
 41107 secured in the possession of the lands on which they are settled.

41108 ARTICLE 3. A line shall be drawn, beginning at the mouth  
 41109 of a creek about four miles east of Niagara, called Oyonwayea,  
 41110 or Johnston's Landing-Place, upon the lake named by the In-  
 41111 dians Oswego, and by us Ontario; from thence southerly in a  
 41112 direction always four miles east of the carrying-path, between  
 41113 Lake Erie and Ontario, to the mouth of Tehoseroron, or Buffaloe  
 41114 Creek on Lake Erie; thence south to the north boundary of the  
 41115 State of Pennsylvania; thence west to the end of the said north  
 41116 boundary; thence south along the west boundary of the said  
 41117 State to the river Ohio; the said line, from the mouth of the  
 41118 Oyonwayea to the Ohio, shall be the western boundary of the  
 41119 lands of the Six Nations, so that the Six Nations shall and do  
 41120 yield to the United States all claims to the country west of the said  
 41121 boundary, and then they shall be secured in the peaceful posses-  
 41122 sion of the lands they inhabit east and north of the same, reser-  
 41123 ving only six miles square round the fort of Oswego to the  
 41124 United States for the support of the same.

41125 ARTICLE 4. The commissioners of the United States, in con-  
 41126 sideration of the present circumstances of the Six Nations, and  
 41127 in execution of the humane and liberal views of the United  
 41128 States upon the signing of the above articles, will order goods to  
 41129 be delivered to the said Six Nations for their use and comfort.

41130 Proclaimed October 22, 1784.

## SIX NATIONS.

41131

41132 *Articles of a treaty made at Fort Harmar the ninth day of Janu-*  
 41133 *ary, in the year of our Lord one thousand seven hundred and*  
 41134 *eighty-nine, between Arthur St. Clair, esquire, governor of the*  
 41135 *territory of the United States of America northwest of the*  
 41136 *river Ohio, and commissioner plenipotentiary of the said*  
 41137 *United States for removing all causes of controversy, regulat-*  
 41138 *ing trade, and settling boundaries between the Indian nations*  
 41139 *in the northern department and the said United States, of the*  
 41140 *one part, and the sachems and warriors of the Six Nations, of*  
 41141 *the other part.*

41142 ARTICLE 1. Whereas the United States in Congress assem-  
 41143 bled did, by their commissioners, Oliver Wolcott, Richard But-  
 41144 ler, and Arthur Lee, esquires, duly appointed for that purpose,  
 41145 at a treaty held with the said Six Nations, viz: with the Mo-  
 41146 hawks, Oneidas, Onondagas, Tuscaroras, Cayugas, and Sene-  
 41147 kas, at Fort Stanwix, on the twenty-second day of October, one  
 41148 thousand seven hundred and eighty-four, give peace to the said  
 41149 nations and receive them into their friendship and protection;  
 41150 and

41151 Whereas the said nations have now agreed to and with the  
 41152 said Arthur St. Clair to renew and confirm all the engagements  
 41153 and stipulations entered into at the before-mentioned treaty at  
 41154 Fort Stanwix; and

41155 Whereas it was then and there agreed between the United  
 41156 States of America and the said Six Nations that a boundary-  
 41157 line should be fixed between the lands of the said Six Nations  
 41158 and the territory of the said United States, which boundary-  
 41159 line is as follows, viz: Beginning at the mouth of a creek about  
 41160 four miles east of Niagara, called Ononwayea, or Johnston's  
 41161 Landing-Place, upon the lake named by the Indians Oswego and  
 41162 by us Ontario; from thence southerly, in a direction always  
 41163 four miles east of the carrying-place, between Lake Erie and  
 41164 Lake Ontario, to the mouth of Tehoseroton or Buffalo Creek,  
 41165 upon Lake Erie; thence south to the northern boundary of the  
 41166 State of Pennsylvania; thence west to the end of the said north  
 41167 boundary; thence south along the west boundary of the said  
 41168 State to the river Ohio. The said line, from the mouth of On-  
 41169 onwayea to the Ohio, shall be the western boundary of the  
 41170 lands of the Six Nations, so that the Six Nations shall and do  
 41171 yield to the United States all claim to the country west of the  
 41172 said boundary; and then they shall be secured in the possession  
 41173 of the lands they inhabit east, north, and south of the same, re-

41174 serving only six miles square round the fort of Oswego for the  
 41175 support of the same. The said Six Nations, except the Mo-  
 41176 hawks, none of whom have attended at this time, for and in  
 41177 consideration of the peace then granted to them, the presents  
 41178 they then received, as well as in consideration of a quantity of  
 41179 goods to the value of three thousand dollars, now delivered to  
 41180 them by the said Arthur St. Clair, the receipt whereof they do  
 41181 hereby acknowledge, do hereby renew and confirm the said  
 41182 boundary-line in the words before-mentioned to the end that it  
 41183 may be and remain as a division-line between the lands of the  
 41184 said Six Nations and the territory of the United States forever.  
 41185 And the undersigned Indians, as well in their own names as in  
 41186 the name of their respective tribes and nations, their heirs and  
 41187 descendants, for the considerations before mentioned, do release,  
 41188 quit-claim, relinquish, and cede to the United States of America  
 41189 all the lands west of the said boundary or division line and be-  
 41190 tween the said line and the strait, from the mouth of Ononwa-  
 41191 yea and Buffalo Creek, for them, the said United States of  
 41192 America, to have and to hold the same in true and absolute  
 41193 propriety forever.

41194 ARTICLE 2. The United States of America confirm to the  
 41195 Six Nations all the lands which they inhabit lying east and  
 41196 north of the before-mentioned boundary-line, and relinquish  
 41197 and quit-claim to the same and every part thereof, excepting  
 41198 only six miles square round the fort of Oswego, which six miles  
 41199 square round said fort is again reserved to the United States by  
 41200 these presents.

41201 ARTICLE 3. The Oneida and Tuscarora Nations are also  
 41202 again secured and confirmed in the possession of their respect-  
 41203 ive lands.

41204 ARTICLE 4. The United States of America renew and con-  
 41205 firm the peace and friendship entered into with the Six Nations,  
 41206 (except the Mohawks,) at the treaty before mentioned, held at  
 41207 Fort Stanwix, declaring the same to be perpetual. And if the  
 41208 Mohawks shall within six months declare their assent to the  
 41209 same they shall be considered as included.

#### 41210 SEPARATE ARTICLE.

41211 Should a robbery or murder be committed by an Indian or  
 41212 Indians of the Six Nations upon the citizens or subjects of the  
 41213 United States, or by the citizens or subjects of the United  
 41214 States, or any of them, upon any of the Indians of the said  
 41215 nations, the parties accused of the same shall be tried, and, if  
 41216 found guilty, be punished according to the laws of the State or  
 41217 of the territory of the United States, as the case may be, where  
 41218 the same was committed. And should any horses be stolen,

41219 either by the Indians of the said nations, from the citizens  
 41220 or subjects of the United States, or any of them, or by any  
 41221 of the said citizens or subjects from any of the said Indians,  
 41222 they may be reclaimed into whose possession soever they  
 41223 may have come; and, upon due proof, shall be restored, any  
 41224 sale in open market notwithstanding; and the persons con-  
 41225 victed shall be punished with the utmost severity the laws will  
 41226 admit. And the said nations engage to deliver the persons that  
 41227 may be accused, of their nations, of either of the before-men-  
 41228 tioned crimes, at the nearest post of the United States, if the crime  
 41229 was committed within the territory of the United States, or to  
 41230 the civil authority of the State, if it shall have happened within  
 41231 any of the United States.

41232 Concluded June 9, 1789.

41233 *A treaty between the United States of America and the tribes of In-*  
 41234 *dians called the Six Nations.*

41235 The President of the United States having determined to  
 41236 hold a conference with the Six Nations of Indians for the pur-  
 41237 pose of removing from their minds all causes of complaint and  
 41238 establishing a firm and permanent friendship with them, and  
 41239 Timothy Pickering being appointed sole agent for that purpose,  
 41240 and the agent having met and conferred with the sachems, chiefs,  
 41241 and warriors of the Six Nations in a general council, now, in order  
 41242 to accomplish the good design of this conference, the parties  
 41243 have agreed on the following articles, which, when ratified by  
 41244 the President, with the advice and consent of the Senate of the  
 41245 United States, shall be binding on them and the Six Nations.

41246 ARTICLE 1. Peace and friendship are hereby firmly estab-  
 41247 lished, and shall be perpetual, between the United States and  
 41248 the Six Nations.

41249 ARTICLE 2. The United States acknowledge the lands re-  
 41250 served to the Oneida, Onondaga, and Cayuga Nations, in their  
 41251 respective treaties with the State of New York, and called their  
 41252 reservations, to be their property; and the United States will  
 41253 never claim the same, nor disturb them or either of the Six  
 41254 Nations, nor their Indian friends residing thereon and united  
 41255 with them, in the free use and enjoyment thereof; but the said  
 41256 reservations shall remain theirs until they choose to sell the  
 41257 same to the people of the United States, who have the right to  
 41258 purchase.

41259 ARTICLE 3. The land of the Seneca Nation is bounded as  
 41260 follows: Beginning on Lake Ontario at the northwest corner of  
 41261 the land they sold to Oliver Phelps, the line runs westerly along

41262 the lake, as far as O-yōng-wong-yeh Creek, at Johnson's Land-  
 41263 ing-Place, about four miles eastward from the Fort of Niagara ;  
 41264 then southerly up that creek to its main fork ; then straight to  
 41265 the main fork of Stedman's Creek, which empties into the river  
 41266 Niagara above Fort Schlosser, and then onward from that fork,  
 41267 continuing the same straight course, to that river ; (this line,  
 41268 from the mouth of O-yōng-wong-yeh Creek to the river Niagara,  
 41269 above Fort Schlosser, being the eastern boundary of a strip of  
 41270 land, extending from the same line to Niagara River, which the  
 41271 Seneka Nation ceded to the King of Great Britain, at a treaty  
 41272 held about thirty years ago, with Sir William Johnson ;) then  
 41273 the line runs along the river Niagara to Lake Erie ; then along  
 41274 Lake Erie to the northeast corner of a triangular piece of land  
 41275 which the United States conveyed to the State of Pennsylvania,  
 41276 as by the President's patent dated the third day of March, 1792 ;  
 41277 then due south to the northern boundary of that State ; then  
 41278 due east to the southwest corner of the land sold by the Seneka  
 41279 Nation to Oliver Phelps ; and then north and northerly along  
 41280 Phelps's line to the place of beginning on Lake Ontario. Now,  
 41281 the United States acknowledge all the land within the afore-  
 41282 mentioned boundaries to be the property of the Seneka Nation ;  
 41283 and the United States will never claim the same, nor disturb  
 41284 the Seneka Nation, nor any of the Six Nations, or of their Indian  
 41285 friends residing thereon and united with them, in the free use  
 41286 and enjoyment thereof ; but it shall remain theirs, until they  
 41287 choose to sell the same to the people of the United States, who  
 41288 have the right to purchase.

41289       ARTICLE 4. The United States having thus described and  
 41290 acknowledged what lands belong to the Oneidas, Onondagas,  
 41291 Cayugas, and Senekas, and engaged never to claim the same,  
 41292 nor to disturb them, or any of the Six Nations, or their Indian  
 41293 friends residing thereon and united with them, in the free use  
 41294 and enjoyment thereof, now, the Six Nations, and each of  
 41295 them, hereby engage that they will never claim any other lands  
 41296 within the boundaries of the United States, nor ever disturb the  
 41297 people of the United States in the free use and enjoyment  
 41298 thereof.

41299       ARTICLE 5. The Seneka Nation, all others of the Six Na-  
 41300 tions concurring, cede to the United States the right of making  
 41301 a waggon road from Fort Schlosser to Lake Erie, as far south  
 41302 as Buffalo Creek ; and the people of the United States shall  
 41303 have the free and undisturbed use of this road for the purposes  
 41304 of travelling and transportation. And the Six Nations, and each  
 41305 of them, will forever allow to the people of the United States a  
 41306 free passage through their lands, and the free use of the har-  
 41307 bours and rivers adjoining and within their respective tracts of

land, for the passing and securing of vessels and boats, and liberty to land their cargoes where necessary for their safety.

ARTICLE 6. In consideration of the peace and friendship hereby established, and of the engagements entered into by the Six Nations, and because the United States desire with humanity and kindness to contribute to their comfortable support, and to render the peace and friendship hereby established strong and perpetual, the United States now deliver to the Six Nations, and the Indians of the other nations residing among and united with them, a quantity of goods of the value of ten thousand dollars. And for the same considerations, and with a view to promote the future welfare of the Six Nations, and of their Indian friends aforesaid, the United States will add the sum of three thousand dollars to the one thousand five hundred dollars heretofore allowed them by an article ratified by the President on the twenty-third day of April, 1792, making, in the whole, four thousand five hundred dollars, which shall be expended yearly forever in purchasing clothing, domestic animals, implements of husbandry, and other utensils suited to their circumstances, and in compensating useful artificers, who shall reside with or near them, and be employed for their benefit; the immediate application of the whole annual allowance now stipulated to be made by the superintendent appointed by the President for the affairs of the Six Nations and their Indian friends aforesaid.

ARTICLE 7. Lest the firm peace and friendship now established should be interrupted by the misconduct of individuals, the United States and Six Nations agree that, for injuries done by individuals on either side, no private revenge or retaliation shall take place, but instead thereof complaint shall be made by the party injured to the other—by the Six Nations, or any of them, to the President of the United States or the superintendent by him appointed, and by the superintendent or other person appointed by the President to the principal chiefs of the Six Nations, or of the nation to which the offender belongs, and such prudent measures shall then be pursued as shall be necessary to preserve our peace and friendship unbroken, until the legislature (or great council) of the United States shall make other equitable provision for the purpose.

NOTE.—It is clearly understood by the parties to this treaty that the annuity stipulated in the sixth article is to be applied to the benefit of such of the Six Nations, and of their Indian friends united with them as aforesaid, as do or shall reside within the boundaries of the United States, for the United States do not interfere with nations, tribes, or families of Indians elsewhere resident.

Proclaimed January 21, 1795.

41354

## SHOSHONEES—NORTHWESTERN BANDS.

41355 *Treaty between the United States of America and the northwestern*  
 41356 *bands of Shoshonee Indians, concluded at Box Elder, July 30,*  
 41357 *1863; ratification advised, with amendments, by the Senate,*  
 41358 *March 7, 1864; amendments assented to November 18, 1864.*

41359 ABRAHAM LINCOLN, President of the United States of America,  
 41360 to all and singular to whom these presents shall come,  
 41361 greeting:

41362 Whereas a treaty was made and concluded at Box Elder,  
 41363 in the Territory of Utah, on the thirtieth day of July, in the  
 41364 year of our Lord one thousand eight hundred and sixty-three,  
 41365 by and between James Duane Doty, commissioner, and Briga-  
 41366 dier-General P. Edward Connor, on the part of the United  
 41367 States, and the hereinafter-named chiefs and warriors of the  
 41368 northwestern bands of Shoshonee Indians, on the part of said  
 41369 bands of Indians, and duly authorized thereto by them, which  
 41370 treaty is in the words and figures following, to wit:

41371 Articles of agreement made at Box Elder, in Utah Territory,  
 41372 this thirtieth day of July, A. D. one thousand eight  
 41373 hundred and sixty-three, by and between the United States  
 41374 of America, represented by Brigadier-General P. Edward  
 41375 Connor, commanding the military district of Utah, and  
 41376 James Duane Doty, commissioner, and the northwestern  
 41377 bands of the Shoshonee Indians, represented by their chiefs  
 41378 and warriors:

41379 ARTICLE 1. It is agreed that friendly and amicable  
 41380 relations shall be re-established between the bands of the  
 41381 Shoshonee Nation, parties hereto, and the United States, and  
 41382 it is declared that a firm and perpetual peace shall be henceforth  
 41383 maintained between the said bands and the United States.

41384 ARTICLE 2. The treaty concluded at Fort Bridger on the  
 41385 2nd day of July, 1863, (proclaimed February 24, 1869; see page  
 41386 931,) between the United States and the Shoshonee Nation, being  
 41387 read and fully interpreted and explained to the said chiefs and  
 41388 warriors, they do hereby give their full and free assent to all of  
 41389 the provisions of said treaty, and the same are hereby adopted  
 41390 as a part of this agreement, and the same shall be binding upon  
 41391 the parties hereto.

41392 ARTICLE 3. In consideration of the stipulations in the  
 41393 preceding articles, the United States agree to increase the  
 41394 annuity to the Shoshonee Nation five thousand dollars, to be  
 41395 paid in the manner provided in said treaty. And the said  
 41396 northwestern bands hereby acknowledge to have received of the

41397 United States, at the signing of these articles, provisions and  
 41398 goods to the amount of two thousand dollars, to relieve their  
 41399 immediate necessities, the said bands having been reduced by  
 41400 the war to a state of utter destitution.

41401 ARTICLE 4. The country claimed by Pokatello, for himself  
 41402 and his people, is bounded on the west by Raft River and on the  
 41403 east by the Porteneuf Mountains.

41404 ARTICLE 5. Nothing herein contained shall be construed  
 41405 or taken to admit any other or greater title or interest in the  
 41406 lands embraced within the territories described in said treaty in  
 41407 said tribes or bands of Indians than existed in them upon the  
 41408 acquisition of said territories from Mexico by the laws thereof.

41409 Proclaimed June 17, 1865.

#### 41410 SHOSHONEE-GOSHIP.

41411 *Treaty between the United States of America and the Shoshonee-*  
 41412 *Goship bands of Indians, concluded at Tuilla Valley October*  
 41413 *12, 1863; ratification advised, with amendment by the Senate,*  
 41414 *March 7, 1864; amendment assented to November 24, 1864.*

41415 ABRAHAM LINCOLN, President of the United States of America,  
 41416 to all and singular to whom these presents shall come,  
 41417 greeting:

41418 Whereas a treaty was made and concluded at Tuilla Valley,  
 41419 in the Territory of Utah, on the twelfth day of October, in the  
 41420 year of our Lord one thousand eight hundred and sixty-three, by  
 41421 and between James Duane Doty and P. Edward Connor, com-  
 41422 missioners on the part of the United States, and the hereinaf-  
 41423 ter-named chiefs, principal men, and warriors of the Shoshonee-  
 41424 Goship bands of Indians, on the part of said bands of Indians,  
 41425 and duly authorized thereto by them, which treaty is in the  
 41426 words and figures following, to wit:

41427 Treaty of peace and friendship made at Tuilla Valley, in the  
 41428 Territory of Utah, this twelfth day of October, A. D. one  
 41429 thousand eight hundred and sixty-three, between the United  
 41430 States of America, represented by the undersigned commis-  
 41431 sioners, and the Shoshonee-Goship bands of Indians, repre-  
 41432 sented by their chiefs, principal men, and warriors, as fol-  
 41433 lows:

41434 ARTICLE 1. Peace and friendship is hereby established and  
 41435 shall be hereafter maintained between the Shoshonee-Goship  
 41436 bands of Indians and the citizens and Government of the United  
 41437 States; and the said bands stipulate and agree that hostilities

41438 and all depredations upon the emigrant trains, the mail, and tel-  
 41439 egraph lines, and upon the citizens of the United States, within  
 41440 their country, shall cease.

41441 ARTICLE 2. It is further stipulated by said bands that the  
 41442 several routes of travel through their country now or hereafter  
 41443 used by white men shall be forever free and unobstructed by  
 41444 them, for the use of the Government of the United States, and  
 41445 of all emigrants and travellers within it under its authority and  
 41446 protection, without molestation or injury from them. And if  
 41447 depredations are at any time committed by bad men of their  
 41448 own or other tribes within their country, the offenders shall be  
 41449 immediately taken and delivered up to the proper officers of  
 41450 the United States, to be punished as their offences may deserve;  
 41451 and the safety of all travellers passing peaceably over either of  
 41452 said routes is hereby guaranteed by said bands.

41453 Military posts may be established by the President of the  
 41454 United States along said routes, or elsewhere in their country,  
 41455 and station-houses may be erected and occupied at such points  
 41456 as may be necessary for the comfort and convenience of travel-  
 41457 lers or for the use of the mail or telegraph companies.

41458 ARTICLE 3. The telegraph and overland stage lines having  
 41459 been established and operated by companies under the authority  
 41460 of the United States through the country occupied by said bands,  
 41461 it is expressly agreed that the same may be continued without  
 41462 hindrance, molestation, or injury from the people of said bands,  
 41463 and that their property, and the lives and property of passengers  
 41464 in the stages, and of the employees of the respective companies,  
 41465 shall be protected by them.

41466 And further, it being understood that provision has been  
 41467 made by the Government of the United States for the construc-  
 41468 tion of a railway from the plains west to the Pacific Ocean, it is  
 41469 stipulated by said bands that the said railway or its branches  
 41470 may be located, constructed, and operated, and without moles-  
 41471 tation from them, through any portion of the country claimed  
 41472 or occupied by them.

41473 ARTICLE 4. It is further agreed by the parties hereto that  
 41474 the country of the Goship tribe may be explored and prospected  
 41475 for gold and silver or other minerals and metals, and when  
 41476 mines are discovered they may be worked, and mining and agri-  
 41477 cultural settlements formed, and ranchos established wherever  
 41478 they may be required. Mills may be erected and timber taken  
 41479 for their use, as also for building and other purposes, in any  
 41480 part of said country.

41481 ARTICLE 5. It is understood that the boundaries of the  
 41482 country claimed and occupied by the Goship tribe, as defined  
 41483 and described by said bands, are as follows: On the north by

41484 the middle of the Great Desert; on the west by Steptoe Valley;  
 41485 on the south by Tooele or Green Mountains, and on the east  
 41486 by Great Salt Lake, Tuilla, and Rush Valleys.

41487 ARTICLE 6. The said bands agree that whenever the Presi-  
 41488 dent of the United States shall deem it expedient for them to  
 41489 abandon the roaming life which they now lead, and become set-  
 41490 tled as herdsmen or agriculturists, he is hereby authorized to  
 41491 make such reservations for their use as he may deem necessary;  
 41492 and they do also agree to remove their camps to such reserva-  
 41493 tions as he may indicate, and to reside and remain thereon.

41494 ARTICLE 7. The United States being aware of the incon-  
 41495 venience resulting to the Indians, in consequence of the driving  
 41496 away and destruction of game along the routes travelled by  
 41497 white men, and by the formation of agricultural and mining set-  
 41498 tlements, are willing to fairly compensate them for the same.  
 41499 Therefore, and in consideration of the preceding stipulations,  
 41500 and of their faithful observance by said bands, the United States  
 41501 promise and agree to pay to the said Goship tribe, or to the said  
 41502 bands, parties hereto, at the option of the President of the  
 41503 United States, annually for the term of twenty years, the sum  
 41504 of one thousand dollars, in such articles, including cattle for  
 41505 herding or other purposes, as the President shall deem suitable  
 41506 for their wants and condition, either as hunters or herdsmen.  
 41507 And the said bands, for themselves and for their tribe, hereby  
 41508 acknowledge the reception of the said stipulated annuities as a  
 41509 full compensation and equivalent for the loss of game and the  
 41510 rights and privileges hereby conceded, and also one thousand  
 41511 dollars in provisions and goods at and before the signing of this  
 41512 treaty.

41513 ARTICLE 8. Nothing herein contained shall be construed or  
 41514 taken to admit any other or greater title or interest in the lands  
 41515 embraced within the territories described in said treaty in said  
 41516 tribes or bands of Indians than existed in them upon the acqui-  
 41517 sition of said territories from Mexico by the laws thereof.

41518 Proclaimed January 17, 1865.

#### 41519 SHOSHONEES—EASTERN BAND AND BANNACKS.

41520 *Treaty between the United States of America and the eastern band*  
 41521 *of Shoshonees and the Bannack tribe of Indians, concluded*  
 41522 *July 3, 1868; ratification advised February 16, 1869.*

41523 ANDREW JOHNSON, President of the United States of America,  
 41524 to all and singular to whom these presents shall come,  
 41525 greeting:

41526       Whereas a treaty was made and concluded at Fort Bridger,  
 41527 in the Territory of Utah, on the third day of July, in the year of  
 41528 our Lord one thousand eight hundred and sixty-eight, by and  
 41529 between Nathaniel G. Taylor, William T. Sherman, William S.  
 41530 Harney, John B. Sanborn, S. F. Tappan, C. C. Augur, and Al-  
 41531 fred H. Terry, commissioners on the part of the United States,  
 41532 and Wash-a-kie, Wau-ni-pitz, and other chiefs and head-men of  
 41533 the eastern band of Shoshonee Indians, and Tag-gee, Tay-to-ba,  
 41534 and other chiefs and head-men of the Bannack tribe of Indians,  
 41535 on the part of said band and tribe of Indians, respectively, and  
 41536 duly authorized thereto by them, which treaty is in the words  
 41537 and figures following, to wit:

41538   *Articles of a treaty with the Shoshonees (eastern band) and Ban-*  
 41539       *nack tribes of Indians, made the third day of July, 1868, at*  
 41540       *Fort Bridger, Utah Territory.*

41541   Articles of a treaty made and concluded at Fort Bridger, Utah  
 41542       Territory, on the third day of July, in the year of our Lord  
 41543       one thousand eight hundred and sixty-eight, by and be-  
 41544       tween the undersigned commissioners on the part of the  
 41545       United States, and the undersigned chiefs and head-men  
 41546       of and representing the Shoshonee (eastern band) and Ban-  
 41547       nack tribes of Indians, they being duly authorized to act in  
 41548       the premises:

41549       ARTICLE 1. From this day forward peace between the par-  
 41550       ties to this treaty shall forever continue. The Government of  
 41551       the United States desires peace, and its honor is hereby pledged  
 41552       to keep it. The Indians desire peace, and they hereby pledge  
 41553       their honor to maintain it.

41554       If bad men among the whites, or among other people sub-  
 41555       ject to the authority of the United States, shall commit any wrong  
 41556       upon the person or property of the Indians, the United States  
 41557       will, upon proof made to the agent and forwarded to the Com-  
 41558       missioner of Indian Affairs, at Washington City, proceed at once  
 41559       to cause the offender to be arrested and punished according to  
 41560       the laws of the United States, and also re-imburse the injured  
 41561       person for the loss sustained.

41562       If bad men among the Indians shall commit a wrong or dep-  
 41563       redation upon the person or property of any one, white, black,  
 41564       or Indian, subject to the authority of the United States and at  
 41565       peace therewith, the Indians herein named solemnly agree that  
 41566       they will, on proof made to their agent and notice by him, de-  
 41567       liver up the wrong-doer to the United States, to be tried and  
 41568       punished according to the laws; and in case they wilfully refuse  
 41569       so to do, the person injured shall be re-imbursed for his loss from

41570 the annuities or other moneys due or to become due to them  
 41571 under this or other treaties made with the United States. And  
 41572 the President, on advising with the Commissioner of Indian Af-  
 41573 fairs, shall prescribe such rules and regulations for ascertaining  
 41574 damages under the provisions of this article as in his judgment  
 41575 may be proper. But no such damages shall be adjusted and  
 41576 paid until thoroughly examined and passed upon by the Com-  
 41577 missioner of Indian Affairs, and no one sustaining loss while  
 41578 violating or because of his violating the provisions of this treaty  
 41579 or the laws of the United States shall be re-imbursed therefor.

41580 ARTICLE 2. It is agreed that whenever the Bannacks desire  
 41581 a reservation to be set apart for their use, or whenever the  
 41582 President of the United States shall deem it advisable for them  
 41583 to be put upon a reservation, he shall cause a suitable one to be  
 41584 selected for them in their present country, which shall embrace  
 41585 reasonable portions of the "Port Neuf" and "Kansas Prairie"  
 41586 countries, and that, when this reservation is declared, the United  
 41587 States will secure to the Bannacks the same rights and privi-  
 41588 leges therein, and make the same and like expenditures therein  
 41589 for their benefit, except the agency-house and residence of  
 41590 agent, in proportion to their numbers, as herein provided  
 41591 for the Shoshonee reservation. The United States further  
 41592 agrees that the following district of country, to wit: Com-  
 41593 mencing at the mouth af Owl Creek and running due south  
 41594 to the crest of the divide between the Sweetwater and Papo  
 41595 Agie Rivers; thence along the crest of said divide and the  
 41596 summit of Wind River Mountains to the longitude of North  
 41597 Fork of Wind River; thence due north to mouth of said  
 41598 North Fork and up its channel to a point twenty miles above its  
 41599 mouth; thence in a straight line to head-waters of Owl Creek  
 41600 and along middle of channel of Owl Creek to place of beginning,  
 41601 shall be and the same is set apart for the absolute and undis-  
 41602 turbed use and occupation of the Shoshonee Indians herein  
 41603 named, and for such other friendly tribes or individual Indians  
 41604 as from time to time they may be willing, with the consent of  
 41605 the United States, to admit amongst them; and the United  
 41606 States now solemnly agrees that no persons except those herein  
 41607 designated and authorized so to do, and except such officers,  
 41608 agents, and employés of the Government as may be authorized  
 41609 to enter upon Indian reservations in discharge of duties en-  
 41610 joined by law, shall ever be permitted to pass over, settle upon,  
 41611 or reside in the territory described in this article for the use of  
 41612 said Indians, and henceforth they will and do hereby relinquish  
 41613 all title, claims, or rights in and to any portion of the territory  
 41614 of the United States, except such as is embraced within the  
 41615 limits aforesaid.

41616 ARTICLE 3. The United States agrees, at its own proper  
 41617 expense, to construct, at a suitable point on the Shoshonee reser-  
 41618 vation, a warehouse or store-room for the use of the agent in  
 41619 storing goods belonging to the Indians, to cost not exceeding  
 41620 two thousand dollars; an agency building for the residence of  
 41621 the agent, to cost not exceeding three thousand; a residence for  
 41622 the physician, to cost not more than two thousand dollars; and  
 41623 five other buildings, for a carpenter, farmer, blacksmith, miller,  
 41624 and engineer, each to cost not exceeding two thousand dollars;  
 41625 also a school-house or mission building so soon as a sufficient  
 41626 number of children can be induced by the agent to attend  
 41627 school, which shall not cost exceeding twenty-five hundred dol-  
 41628 lars.

41629 The United States agrees further to cause to be erected on  
 41630 said Shoshonee reservation, near the other buildings herein au-  
 41631 thorized, a good steam circular-saw mill, with a grist-mill and  
 41632 shingle-machine attached, the same to cost not more than eight  
 41633 thousand dollars.

41634 ARTICLE 4. The Indians herein named agree, when the  
 41635 agency house and other buildings shall be constructed on their  
 41636 reservations named, they will make said reservations their per-  
 41637 manent home, and they will make no permanent settlement else-  
 41638 where; but they shall have the right to hunt on the unoccupied  
 41639 lands of the United States so long as game may be found there-  
 41640 on, and so long as peace subsists among the whites and In-  
 41641 dians on the borders of the hunting districts.

41642 ARTICLE 5. The United States agrees that the agent for said  
 41643 Indians shall in the future make his home at the agency build-  
 41644 ing on the Shoshonee reservation, but shall direct and super-  
 41645 vise affairs on the Bannack reservation; and shall keep an  
 41646 office open at all times for the purpose of prompt and dili-  
 41647 gent inquiry into such matters of complaint by and against  
 41648 the Indians as may be presented for investigation under the  
 41649 provisions of their treaty stipulations, as also for the faithful  
 41650 discharge of other duties enjoined by law. In all cases of  
 41651 depredation on person or property he shall cause the evidence  
 41652 to be taken in writing, and forwarded, together with his finding,  
 41653 to the Commissioner of Indian Affairs, whose decision shall be  
 41654 binding on the parties to this treaty.

41655 ARTICLE 6. If any individual belonging to said tribes of  
 41656 Indians, or legally incorporated with them, being the head of a  
 41657 family, shall desire to commence farming, he shall have the  
 41658 privilege to select, in the presence and with the assistance of  
 41659 the agent then in charge, a tract of land within the reservation  
 41660 of his tribe, not exceeding three hundred and twenty acres in  
 41661 extent, which tract so selected, certified, and recorded in the

41662 "land-book," as herein directed, shall cease to be held in com-  
 41663 mon, but the same may be occupied and held in the exclusive  
 41664 possession of the person selecting it, and of his family, so long  
 41665 as he or they may continue to cultivate it.

41666 Any person over eighteen years of age, not being the head  
 41667 of a family, may, in like manner, select and cause to be certified  
 41668 to him or her, for purposes of cultivation, a quantity of land  
 41669 not exceeding eighty acres in extent, and thereupon be entitled  
 41670 to the exclusive possession of the same as above described. For  
 41671 each tract of land so selected a certificate, containing a descrip-  
 41672 tion thereof, and the name of the person selecting it, with a cer-  
 41673 tificate indorsed thereon that the same has been recorded, shall  
 41674 be delivered to the party entitled to it by the agent, after the  
 41675 same shall have been recorded by him in a book to be kept in  
 41676 his office subject to inspection, which said book shall be known  
 41677 as the "Shoshone (eastern band) and Bannack land-book."

41678 The President may, at any time, order a survey of these  
 41679 reservations, and when so surveyed Congress shall provide for  
 41680 protecting the rights of the Indian settlers in these improve-  
 41681 ments, and may fix the character of the title held by each. The  
 41682 United States may pass such laws on the subject of alienation  
 41683 and descent of property as between Indians, and on all subjects  
 41684 connected with the government of the Indians on said reserva-  
 41685 tions, and the internal police thereof, as may be thought proper.

41686 ARTICLE 7. In order to insure the civilization of the tribes  
 41687 entering into this treaty, the necessity of education is admitted,  
 41688 especially of such of them as are or may be settled on said agri-  
 41689 cultural reservations, and they therefore pledge themselves to  
 41690 compel their children, male and female, between the ages of six  
 41691 and sixteen years, to attend school; and it is hereby made the  
 41692 duty of the agent for said Indians to see that this stipulation is  
 41693 strictly complied with; and the United States agrees that for  
 41694 every thirty children between said ages who can be induced or  
 41695 compelled to attend school, a house shall be provided and a  
 41696 teacher competent to teach the elementary branches of an English  
 41697 education shall be furnished, who will reside among said Indi-  
 41698 ans and faithfully discharge his or her duties as a teacher. The  
 41699 provisions of this article to continue for twenty years.

41700 ARTICLE 8. When the head of a family or lodge shall have  
 41701 selected lands and received his certificate as above directed, and  
 41702 the agent shall be satisfied that he intends in good faith to  
 41703 commence cultivating the soil for a living, he shall be entitled  
 41704 to receive seeds and agricultural implements for the first year,  
 41705 in value one hundred dollars, and for each succeeding year he  
 41706 shall continue to farm, for a period of three years more, he shall

41707 be entitled to receive seeds and implements as aforesaid in value .  
 41708 twenty-five dollars per annum.

41709 And it is further stipulated that such persons as commence  
 41710 farming shall receive instructions from the farmers herein pro-  
 41711 vided for, and whenever more than one hundred persons on  
 41712 either reservation shall enter upon the cultivation of the soil, a  
 41713 second blacksmith shall be provided, with such iron, steel, and  
 41714 other material as may be required.

41715 ARTICLE 9. In lieu of all sums of money or other annuities  
 41716 provided to be paid to the Indians herein named, under any and  
 41717 all treaties heretofore made with them, the United States agrees  
 41718 to deliver at the agency-house on the reservation herein pro-  
 41719 vided for, on the first day of September of each year, for thirty  
 41720 years, the following articles, to wit:

41721 For each male person over fourteen years of age, a suit of  
 41722 good substantial woollen clothing, consisting of coat, hat, pan-  
 41723 taloons, flannel shirt, and a pair of woollen socks; for each  
 41724 female over twelve years of age, a flannel skirt, or the goods  
 41725 necessary to make it, a pair of woollen hose, twelve yards of  
 41726 calico, and twelve yards of cotton domestics.

41727 For the boys and girls under the ages named, such flannel  
 41728 and cotton goods as may be needed to make each a suit as  
 41729 aforesaid, together with a pair of woollen hose for each.

41730 And in order that the Commissioner of Indian Affairs may  
 41731 be able to estimate properly for the articles herein named, it  
 41732 shall be the duty of the agent, each year, to forward to him a  
 41733 full and exact census of the Indians, on which the estimate, from  
 41734 year to year, can be based; and, in addition to the clothing  
 41735 herein named, the sum of ten dollars shall be annually appro-  
 41736 priated for each Indian roaming, and twenty dollars for each In-  
 41737 dian engaged in agriculture, for a period of ten years, to be  
 41738 used by the Secretary of the Interior in the purchase of such  
 41739 articles as, from time to time, the condition and necessities of  
 41740 the Indians may indicate to be proper. And if, at any time  
 41741 within the ten years, it shall appear that the amount of money  
 41742 needed for clothing under this article can be appropriated to  
 41743 better uses for the tribes herein named, Congress may, by law,  
 41744 change the appropriation to other purposes; but in no event  
 41745 shall the amount of this appropriation be withdrawn or discon-  
 41746 tinued for the period named. And the President shall annually  
 41747 detail an officer of the Army to be present, and attest the de-  
 41748 livery of all the goods herein named to the Indians, and he shall  
 41749 inspect and report on the quantity and quality of the goods and  
 41750 the manner of their delivery.

41751 ARTICLE 10. The United States hereby agrees to furnish  
 41752 annually to the Indians the physician, teachers, carpenter,

41753 miller, engineer, farmer, and blacksmith, as herein contemplated,  
 41754 and that such appropriations shall be made, from time to time,  
 41755 on the estimates of the Secretary of the Interior, as will be suf-  
 41756 ficient to employ such persons.

41757 ARTICLE 11. No treaty for the cession of any portion of the  
 41758 reservations herein described which may be held in common  
 41759 shall be of any force or validity as against the said Indians,  
 41760 unless executed and signed by at least a majority of all the adult  
 41761 male Indians occupying or interested in the same; and no ces-  
 41762 sion by the tribe shall be understood or construed in such man-  
 41763 ner as to deprive, without his consent, any individual member  
 41764 of the tribe of his right to any tract of land selected by him, as  
 41765 provided in Article 6 of this treaty.

41766 ARTICLE 12. It is agreed that the sum of five hundred dol-  
 41767 lars annually, for three years from the date when they com-  
 41768 mence to cultivate a farm, shall be expended in presents to the  
 41769 ten persons of said tribe who, in the judgment of the agent,  
 41770 may grow the most valuable crops for the respective year.

41771 ARTICLE 13. It is further agreed that, until such time as  
 41772 the agency-buildings are established on the Shoshonee reserva-  
 41773 tion, their agent shall reside at Fort Bridger, U. T., and their  
 41774 annuities shall be delivered to them at the same place in June  
 41775 of each year.

41776 Proclaimed February 24, 1869.

#### 41777 STOCKBRIDGES.

41778 *Articles of a treaty made at Stockbridge, in the Territory of Wis-*  
 41779 *consin, on the third day of September, in the year of our Lord*  
 41780 *one thousand eight hundred and thirty-nine, between the United*  
 41781 *States of America, by their commissioner, Albert Gallup, and*  
 41782 *the Stockbridge and Munsee tribes of Indians, who reside upon*  
 41783 *Lake Winnebago, in the Territory of Wisconsin.*

41784 ARTICLE 1. The Stockbridge and Munsee tribes of Indians  
 41785 (formerly of New York) hereby cede and relinquish to the United  
 41786 States the east half of the tract of forty-six thousand and  
 41787 eighty acres of land, which was laid off for their use, on the east  
 41788 side of Lake Winnebago, in pursuance of the treaty made by  
 41789 George B. Porter, commissioner on the part of the United States,  
 41790 and the Menominee Nation of Indians, on the twenty-seventh

41791 day of October, eighteen hundred and thirty-two, (see page 475;)  
 41792 the said east half hereby ceded to contain twenty-three thousand  
 41793 and forty acres of land, to be of equal width at the north and  
 41794 south ends, and to be divided from the west half of said tract  
 41795 of forty-six thousand and eighty acres by a line to be run parallel  
 41796 to the east line of said tract; the United States to pay therefor  
 41797 one dollar per acre at the time and in the manner hereinafter  
 41798 provided.

41799 ARTICLE 2. Whereas a portion of said tribes, according to  
 41800 a census or roll taken, and hereunto annexed, are desirous to  
 41801 remove west, and the others to remain where they now are; and  
 41802 whereas the just proportion of the emigrating party in the whole  
 41803 tract of forty-six thousand and eighty acres is eight thousand  
 41804 seven hundred and sixty-seven and three-fourths acres of land,  
 41805 it is agreed that the United States pay to the said emigrating  
 41806 party the sum of eight thousand seven hundred and sixty-seven  
 41807 dollars and seventy-five cents, as a full compensation for all  
 41808 their interest in the lands held by the party who remain, as well  
 41809 as in the lands hereby ceded to the United States.

41810 ARTICLE 3. Whereas the improvements of the emigrating  
 41811 party are all on that part of the original tract which is reserved  
 41812 and still held by the party who remain in Stockbridge, and it is  
 41813 but equitable that those who remain should pay those who emi-  
 41814 grate for such improvements, it is agreed that the United States  
 41815 shall pay to the emigrating party the sum of three thousand  
 41816 eight hundred and seventy-nine dollars and thirty cents, the  
 41817 appraised value of said improvements; and it is hereby agreed,  
 41818 and expressly understood, that the monies payable to the emi-  
 41819 grating party shall be distributed among the heads of families,  
 41820 according to the schedule hereunto annexed, the whole amount  
 41821 to be paid to the emigrating party under this and the preceding  
 41822 article being the sum of twelve thousand six hundred and forty-  
 41823 seven dollars and five cents.

41824 ARTICLE 4. The ballance of the consideration-money for  
 41825 the lands hereby ceded, (after deducting the sums mentioned in  
 41826 the second and third articles,) amounting to the sum of ten  
 41827 thousand three hundred and ninety-two dollars and ninety-five  
 41828 cents, is to be paid to and invested for the benefit of such of the  
 41829 Stockbridge and Munsee tribes of Indians (numbering three hun-  
 41830 dred and forty-two souls) as remain at their present place of resi-  
 41831 dence, at Stockbridge, on the east side of Winnebago Lake, as fol-  
 41832 lows: Six thousand dollars of said sum to be invested by the  
 41833 United States in public stocks, at an interest of not less than five  
 41834 per cent. per annum, as a permanent school-fund, the interest of

41835 which shall be paid annually to the sachem and counsellors of  
 41836 their tribes, or such other person as they may appoint to receive  
 41837 the same, whose receipt shall be a sufficient voucher therefor ;  
 41838 and the ballance thereof, amounting to four thousand three  
 41839 hundred and ninety-two dollars and ninety-five cents, shall be  
 41840 paid to the said sachem and counsellors, or to such person as  
 41841 they may appoint to receive the same, whose receipt shall be a  
 41842 sufficient voucher therefor.

41843 ARTICLE 5. The monies herein secured to be paid by the  
 41844 United States to the Stockbridge and Munsee tribes, amounting  
 41845 in all to twenty-three thousand and forty dollars, are to be paid  
 41846 in manner aforesaid in one year from the date hereof, or sooner  
 41847 if practicable.

41848 ARTICLE 6. It is agreed that an exploring party not exceed-  
 41849 ing three in number may visit the country west, if the Indians  
 41850 shall consider it necessary, and that whenever those who are  
 41851 desirous of emigrating shall signify their wish to that effect  
 41852 the United States will defray the expenses of their removal west  
 41853 of the Mississippi, and furnish them with subsistence for one  
 41854 year after their arrival at their new homes. The expenses of  
 41855 the exploring party to be borne by the emigrants.

41856 ARTICLE 7. Whereas there are certain unliquidated claims  
 41857 and accounts existing between the emigrating party and those  
 41858 who remain where they now are, which it is now impossible to  
 41859 liquidate and adjust, it is hereby agreed that the same shall be  
 41860 submitted to the agent of the United States, who shall be ap-  
 41861 pointed to make the payments under this treaty, and that his  
 41862 decision shall be final thereon.

41863 *Roll and schedule referred to in articles two and three of the treaty*  
 41864 *hereunto annexed.*

		No. of each family.	No. of acres of land to each family.	Value of lands in dollars and cents.	Appraised value of improvements.	Total value of lands and improvements and amount to be paid to head of each family.
41865	Names of heads of families of emigrating party.					
41866	Thomas T. Hendrick...	6	713	\$713 00	\$480 50	\$1,193 50
41867	Robert Konkapot.....	4	490 $\frac{1}{2}$	490 50	939 00	1,429 50
41868	Timothy Tousse.....	6	642	642 00	135 00	777 00
41869	Elisha Konkapot.....	6	642	642 00	67 50	709 50
41870	Cornelius Charles.....	7	686	686 00	.....	686 00
41871	Jonas Konkapot.....	3	321	321 00	56 25	377 25
41872	Levi Konkapot.....	1	107	107 00	384 00	491 00
41873	David Abrams.....	2	214	214 00	.....	214 00
41874	Dolly Dockstader.....	5	597	597 50	168 75	766 25
41875	Eli Hendrick.....	3	321	321 00	238 25	559 25
41876	Simeon Konkapot.....	3	321	321 00	.....	321 00
41877	Lydia Hendrick.....	1	107	107 00	305 00	412 00
41878	Thomas S. Branch.....	1	131 $\frac{1}{2}$	131 50	.....	131 50
41879	John Baldwin.....	1	107	107 00	.....	107 00
41880	John W. Newcom. ....	5	535	535 00	.....	535 00
41881	Jonas Littleman.....	1	107	107 00	.....	107 00
41882	Henry Skickett.....	3	321	321 00	.....	321 00
41883	Betsy Bennet.....	1	107	107 00	.....	107 00
41884	Peter Sherman.....	1	107	107 00	390 00	497 00
41885	David Calvin.....	1	44 $\frac{1}{2}$	44 50	.....	44 50
41886	Eli Williams.....	1	107	107 00	.....	107 00
41887	Catherine Littleman....	6	642	642 00	.....	642 00
41888	James Rain.....	6	642	642 00	40 00	682 00
41889	Big Deer.....	1	107	107 00	.....	107 00
41890	Ziba T. Peters.....	3	246 $\frac{1}{4}$	246 25	144 30	390 55
41891	Cornelius Chemaucum..	2	214	214 00	.....	214 00
41892	And other heirs of Phebe Ducham.....		187 $\frac{1}{2}$	187 50	530 75	718 25
41893						
41894		80	8,767 $\frac{3}{4}$	8,767 75	3,879 30	12,647 05
41895	Proclaimed May 16, 1840.					

41896 TREATY WITH THE STOCKBRIDGE TRIBE OF IN-  
41897 DIANS.

41898 Whereas by an act of Congress entitled "An act for the  
41899 relief of the Stockbridge tribe of Indians, in the Territory of  
41900 Wisconsin," approved on the third day of March, A. D. 1843,  
41901 it was provided that the township of land on the east side of  
41902 Winnebago Lake, secured to said tribe by the treaty with the  
41903 Menomonee Indians of February 8th, 1831, as amended by the  
41904 Senate of the United States, and not heretofore ceded by said  
41905 tribe to the United States, should be divided and allotted among  
41906 the individual members of said tribe, by commissioners to be  
41907 elected for that purpose, who were to make report of such divi-  
41908 sion and allotment, and thereupon the persons composing said  
41909 tribe were to become citizens of the United States.

41910 And whereas a portion of said tribe refused to recognize the  
41911 validity of said act of Congress, or the proceedings which were  
41912 had under it, or to be governed by its provisions, and upon their  
41913 petition a subsequent act was passed by the Congress of the  
41914 United States, on the 6th day of August, 1846, repealing the  
41915 said act of March 3d, 1843, and providing, among other things,  
41916 that such of said tribe as should enrol themselves with the sub-  
41917 agent of Indian affairs at Green Bay, should be and remain citi-  
41918 zens of the United States, and the residue of said tribe were  
41919 restored to their ancient form of government as an Indian tribe.  
41920 It was also provided that the said township of land should be  
41921 divided into two districts, one of which was to be known as the  
41922 "Indian district," the other as the "citizen district;" the former  
41923 to be held in common by the party who did not desire citizen-  
41924 ship, and the latter to be divided and allotted among such as  
41925 were citizens and desired to remain so.

41926 And whereas it has been found impracticable to carry into  
41927 full effect the provisions of the act of August 6th, 1846, by  
41928 dividing the said township of land in the manner specified in  
41929 said act, without infringing upon private rights acquired in good  
41930 faith under the act of 1843 hereinbefore referred to, with a view  
41931 of relieving both the Indian and citizen parties of said Stock-  
41932 bridge tribe of Indians from their present embarrassments, and  
41933 to secure to each their just rights, articles of agreement and  
41934 compromise have been entered into, as follows:

41935 Articles of agreement and treaty made and concluded at Stock-  
41936 bridge, in the State of Wisconsin, on the 24th day of No-  
41937 vember, in the year of our Lord one thousand eight hundred  
41938 and forty-eight, by and between the undersigned, acting  
41939 commissioners on the part of the United States of America,  
41940 and the Stockbridge tribe of Indians.

41941       ARTICLE 1. The said Stockbridge tribe of Indians renounce  
 41942 all participation in any of the benefits or privileges granted or  
 41943 conferred by the act of Congress entitled "An act for the relief  
 41944 of the Stockbridge tribe of Indians, in the Territory of Wis-  
 41945 consin," approved March 3, 1843, and relinquish all rights  
 41946 secured by said act; and they do hereby acknowledge and  
 41947 declare themselves to be under the protection and guardianship  
 41948 of the United States, as other Indian tribes.

41949       ARTICLE 2. That no misunderstanding may exist, now or  
 41950 hereafter, in determining who compose said tribe and are parties  
 41951 hereto, it is agreed that a roll or census shall be taken and ap-  
 41952 pended to this agreement, and in like manner taken annually here-  
 41953 after, and returned to the Secretary of the War Department of  
 41954 the United States, containing the names of all such as are parties  
 41955 hereto, and to be known and recognized as the Stockbridge  
 41956 tribe of Indians, who shall each be entitled to their due propor-  
 41957 tion of the benefits to be derived from the provisions made for  
 41958 their tribe by this and former agreements; and whenever any  
 41959 of them shall separate themselves from said tribe, or abandon  
 41960 the country which may be selected for their future home, the  
 41961 share or portion of such shall cease, and they shall forfeit all  
 41962 claims to be recognized as members of said tribe.

41963       ARTICLE 3. The said Stockbridge tribe of Indians hereby sell  
 41964 and relinquish to the United States the township of land on the  
 41965 east side of Lake Winnebago, (granted and secured to said tribe  
 41966 by the treaty with the Menomonee tribe of Indians of February 8,  
 41967 1831, (see page 468,) as amended by the resolution of the Sen-  
 41968 ate of the United States,) and situated in the State of Wisconsin.

41969       ARTICLE 4. The said township of land shall be surveyed into  
 41970 lots, in conformity with the plan adopted by the commissioners  
 41971 elected under the act of March 3, 1843, and such of said lands  
 41972 as were allotted by said commissioners to members of said tribe  
 41973 who have become citizens of the United States (a schedule of  
 41974 which is hereunto annexed) are hereby confirmed to such indi-  
 41975 viduals respectively, and patents therefor shall be issued by  
 41976 the United States. The residue of said lands belonging to the  
 41977 United States shall be brought into market but shall not be sold  
 41978 at less than the appraised value, unless the Senate of the United  
 41979 States shall otherwise determine.

41980       ARTICLE 5. In consideration of the cession and relinquish-  
 41981 ment hereinbefore made by the said Stockbridge tribe of In-  
 41982 dians, it is agreed that the United States shall pay to said tribe,  
 41983 within six months after the ratification of this agreement, the  
 41984 sum of sixteen thousand five hundred dollars to enable them  
 41985 to settle their affairs, obtain necessities, and make provision for  
 41986 establishing themselves in a new home.

41987 ARTICLE 6. The United States shall also pay to said tribe,  
 41988 within six months after the ratification of this agreement, the  
 41989 sum of fourteen thousand five hundred and four dollars and  
 41990 eighty-five cents, being the appraised value of their improve-  
 41991 ments upon the lands herein ceded and relinquished to the  
 41992 United States, and to be paid to the individuals claiming said  
 41993 improvements according to the schedule and assessment here-  
 41994 with transmitted.

41995 ARTICLE 7. It is further stipulated and agreed that the said  
 41996 Stockbridge tribe may remain upon the lands they now occupy  
 41997 for one year after the ratification of this agreement, and that  
 41998 they will remove to the country set apart for them, or such other  
 41999 west of the Mississippi River as they may be able to secure,  
 42000 where all their treaty stipulations with the Government shall be  
 42001 carried into effect.

42002 ARTICLE 8. Whenever the said Stockbridge tribe shall sig-  
 42003 nify their wish to emigrate, the United States will defray the  
 42004 expenses of their removal west of the Mississippi and furnish  
 42005 them with subsistence for one year after their arrival at their  
 42006 new home.

42007 ARTICLE 9. It is further stipulated and agreed, that, for the  
 42008 purpose of making provision for the rising generation of said  
 42009 tribe, the sum of sixteen thousand five hundred dollars shall be  
 42010 invested by the United States in stock, bearing an interest of  
 42011 not less than five per cent. per annum, the interest of which shall  
 42012 be paid annually to said tribe, as other annuities are paid by the  
 42013 United States.

42014 ARTICLE 10. It is agreed that nothing herein shall prevent  
 42015 a survey of said lands, at any time after the ratification of this  
 42016 agreement, and that said tribe shall commit no waste or do un-  
 42017 necessary damage upon the premises occupied by them.

42018 ARTICLE 11. The United States will pay the expenses in-  
 42019 curred by the sachem and head-men, amounting to three thou-  
 42020 sand dollars, in attending to the business of said tribe since the  
 42021 year 1843.

42022 ARTICLE 12. This agreement to be binding and obligatory  
 42023 upon the contracting parties from and after its ratification by  
 42024 the Government of the United States.

42025 SUPPLEMENTAL ARTICLE.

42026 Whereas the Stockbridge and Munsee Indians consider that  
 42027 they have a claim against the United States for indemnity for  
 42028 certain lands on White River in the State of Indiana, and for cer-  
 42029 tain other lands in the State of Wisconsin, which they allege they  
 42030 have been deprived of by treaties entered into with the Miamies  
 42031 and Delawares, or to the lands claimed by them in Indiana, and

42032 with the Menomonees and Winnebagoes, or to the lands in Wis-  
 42033 consin, without their consent; and whereas the said Stockbridge  
 42034 and Munsee Indians, by their chiefs and agents, have continued  
 42035 to prosecute their said claims during the last twenty years at  
 42036 their own expense, except the sum of three thousand dollars paid  
 42037 them in 1821; and whereas it is desirable that all ground of dis-  
 42038 content on the part of said Indians shall be removed, the United  
 12039 States do further stipulate, in consideration of the relinquish-  
 42040 ment by them of said claims, and all others, except as provided  
 42041 in this treaty, to pay the sachems or chiefs of said Indians, on  
 42042 the ratification of this article by them, with the assent of their  
 42043 people, the sum of five thousand dollars, and the further sum of  
 42044 twenty thousand dollars, to be paid in ten annual instalments,  
 42045 to commence when the said Indians shall have selected and re-  
 42046 moved to their new homes, as contemplated by the seventh arti-  
 42047 cle of this treaty.

42048 The President of the United States, within two years from  
 42049 the ratification of this treaty, shall procure for the use of said  
 42050 Stockbridge Indians a quantity of land west of the Mississippi  
 42051 River, upon which they shall reside, not less than seventy-two  
 42052 sections, said Indians to be consulted as to the location of said  
 42053 land, and to be holden by the same tenure as other Indian lands.

42054 *Roll or census of the Stockbridge tribe of Indians, taken in con-*  
 42055 *formity with the provisions of the second article of the within*  
 42056 *agreement.*

42057	Hinds of families.	Male.	Female.	Boys.	Girls.	Total.
42058	Austin E. Quinney.....	1	1	3	4	9
42059	John Metoxen.....	1	1	..	..	2
42060	Benjamin Pye, sen.....	1	1	..	1	3
42061	Garret Thompson.....	1	1	2	..	4
42062	Elisha Konkapot.....	1	1	1	..	3
42063	John W. Quinney.....	1	..	..	..	1
42064	John P. Quinney.....	1	1	1	..	3
42065	Peter D. Littleman.....	1	1	1	2	5
42066	Jonas Thompson.....	1	1	1	1	4
42067	James Joshua.....	1	..	..	..	1
42068	Joseph M. Quinney.....	1	1	2	1	5
42069	Simon L. Metoxen.....	1	1	2	5	9
42070	Benjamin Pye, 2d.....	1	1	1	3	6
42071	Thomas Schenandoah.....	1	1	..	..	2
42072	Aaron Turkey.....	1	1	2	2	6
42073	Abram Pye.....	1	1	4	1	7
42074	Benjamin Pye, 4th.....	1	1	..	1	3
42075	Benjamin Duxtater.....	1	1	1	1	4

	Hheads of families.	Males.	Females.	Boys.	Girls.	Total.
42076						
42077	Moses Charles .....	1	1	1	1	4
42078	Benjamin Pye, 3d .....	1	1	1	1	4
42079	Eli Williams.....	1	..	..	..	1
42080	David Palmer.....	1	1	1	..	3
42081	Jacob Konkapot .....	1	1	..	1	3
42082	Daniel Metoxen .....	1	1	..	..	2
42083	Elizabeth Palmer, (widow).....	..	1	1	1	3
42084	Elizabeth Aaron .....	..	1	1	2	4
42085	Catharine Butterfield.....	..	1	..	1	2
42086	Samuel Miller.....	1	1	4	2	8
42087	Louisa Jamison.....	..	1	..	..	1
42088	Jacob Jahoicum.....	1	..	..	..	1
42089	Anna Turkey.....	..	1	..	..	1
42090	Jeremiah Slingerland.....	1	..	3	..	4
42091	John Yocum.....	1	1	..	2	4
42092	Elizabeth Wilber.....	..	1	1	3	5
42093	John W. Quinney, jr., and sister.....	1	1	..	..	2
42094	Clarissa Miller and son.....	1	1	..	..	2
42095	Elizabeth Pye.....	..	1	..	1	2
42096	Phœbe S. Ricket .....	..	1	..	..	1
42097	Josiah Abrams, wife, and sister .....	1	2	..	..	3
42098	Jeremiah Bennet.....	1	2	..	2	5
42099	Paul Pye.....	1	1	1	..	3
42100	Peter Bennet .....	1	..	..	..	1
42101	Ziba T. Peters.....	1	1	2	..	4
42102	Ezekiel Robinson and brother.....	..	..	2	..	2
42103	Lawrence Yocum.....	1	..	..	..	1
42104	Moses Doxtater.....	1	..	..	1	2
42105	Lucinda Quinney.....	..	1	2	1	4
42106	Jemima Doxtater.....	..	1	..	..	1
42107	Amelia Quinney.....	..	1	1	..	2
42108	Peter Bennet, sen .....	1	1	1	3	6
42109	John Bennet.....	1	1	1	1	4
42110	Levi Konkapot.....	1	..	..	..	1
42111	Samuel Stevens.....	1	..	..	..	1
42112	John Killsnake.....	1	..	..	..	1
42113	Lewis Hendricks.....	1	..	..	..	1
42114	Diana Davids.....	..	1	..	..	1
42115						
42116						177

42117 *Schedule of lands to be patented to individuals under the 4th article*  
 42118 *of the above agreement.*

	Names.	No. of lot.	No. of acres.
42119			
42120	Josiah Chicks.....	1	
42121	Nancy Chicks.....	2	
42122	John N. Chicks.....	4	
42123	Jacob Davids.....	5	
42124	Harvey Johnson.....	8	
42125	Hannah P. Chicks.....	10	
42126	Dindemia, Big Deer..... $\frac{1}{3}$ E. end	14	22.66
42127	Puella Jourdain.....	16	
42128	Jacobs Chicks.....	17	
42129	John N. Chicks.....	18	
42130	Josiah Chicks.....	20	
42131	Jacob Chicks.....	21	
42132	Jos. L. Chicks.....	22	
42133	Jacob Chicks.....	23	
42134	John N. Chicks.....	24	
42135	Moses E. Merrill.....	25, 26, 27	
42136	John N. Chicks.....	28, 29	
42137	Jane Dean.....	30	
42138	Marietta Abrams.....	31	
42139	Catharine Mills.....N. $\frac{1}{2}$	32	30.62
42140	Joseph L. Chicks.....	33	
42141	John Dick.....	37	
42142	John More.....	38	
42143	Isaac Jacobs.....	40	
42144	Benjamin Welch.....	41	
42145	Lucy Jacobs.....	44	
42146	Daniel Davids.....	47	
42147	Daniel Davids.....N. $\frac{1}{2}$	48	
42148	John W. Abrams.....S. $\frac{1}{2}$	48	
42149	Louisa Davids.....	50	
42150	Harry E. Eastman.....	51	
42151	Eunice Abrams.....	52	
42152	Daniel Davids.....	53	
42153	John N. Chicks.....	54	
42154	Hoel S. Wright.....S. part of	55	5
42155	Oscar Wright.....N. part of	55	57 $\frac{1}{2}$
42156	John Littleman.....S. $\frac{1}{2}$	56	
42157	Daniel Davids.....N. $\frac{1}{2}$	56	
42158	Darius Davids.....	57	
42159	Margaret Davids.....	58	
42160	Daniel Davids.....	60	
42161	Erastus Welch, (a strip E. of road).	65	6 chains 25 lks. wide off
42162			S. side of lot.

	Names.	No. of lot.	No. of acres.
42163			
42164	Richard Fidler.....	E. of road 65	Balance of the lot.
42165	Henry Modlin.....	part 65	W. of road, 54 $\frac{3}{4}$
42166	Henry Jacobs.....	63	
42167	Lucy Jacobs.....	frac'l part of 66	W. of road, 50.50
42168	John W. Abrams.....	E. $\frac{1}{2}$	68
42169	John Dick.....	70	
42170	Eunice Abrams ..	N. $\frac{1}{2}$	76
42171	Mary Hendrick.....	E. $\frac{1}{2}$	78
42172	Isaac Jacobs and George Bennet..	79	
42173	John N. Chicks .....	81	
42174	John N. Chicks and }	82	
42175	Jacob Davids. ....		
42176	Nancy Hunt .....	W. $\frac{1}{2}$	83.....31 $\frac{1}{4}$
42177	James Menagre and }	part of 84	E. end. ....15 $\frac{1}{2}$
42178	Betsy Menagre .....		
42179	Betsy Wyatt .....	W. $\frac{1}{2}$	85 & 86.....62 $\frac{1}{2}$
42180	William Gardner.....	87	
42181	Timothy Jourdain.....	90	
42182	Timothy Jourdain .....	S. $\frac{1}{2}$	91.....31. 25
42183	Charles Stevens.....	92 & 94	
42184	Nancy Homm.....	98	
42185	Joseph L. Chicks.....	102	
42186	John N. Chicks .....	103	
42187	John Moore .....	105	
42188	Josiah Chicks .....	106	
42189	John N. Chicks .....	110	
42190	Timothy Jourdain.....	111, 112	
42191	John Littleman .....	113	
42192	Nathan Goodell.....	115	
42193	Charles Stevens .....	S. part 119.....	50
42194	Catharine Littleman .....	E. part 128.....	54, 60
42195	John Moore .....	129	
42196	John W. Abrams.....	130	
42197	Jacob Davids.....	131	
42198	Adam Sheriff.....	W. $\frac{1}{2}$	132.....31. 25
42199	Jacob Davids.....	133	
42200	Joseph L. Chicks.....	134	
42201	Catharine Mills.....	W. $\frac{1}{2}$	136
42202	Joseph Doxtater .....	144 & 145	
42203	Isaac Jacobs.....	151	
42204	Alexander Abrams.....	154	
42205	Jacob Davids.....	155	
42206	Darius Davids.....	156	
42207	John Littleman .....	157	
42208	Isaac Jacobs.....	158	
42209	Hannah W. Chicks.....	159	

	Names.	No. of lot.	No. of acres.
42210			
42211	Catharine Mills .....	160	
42212	Nathan Goodell .....	170	
42213	John N. Chicks .....	173	
42214	James N. Lane.....	174	
42215	Jacob Davids.....	175	
42216	Job Moore.....	176	
42217	Thomas J. Chicks .....	179	
42218	Harvey Johnson .....	180	
42219	Nancy Gardner .....	181	
42220	Abigail Jourdain .....	182	
42221	Abram Chicks .....	184	
42222	Bartholomew Bowman .....	186	
42223	Harriet Jourdain.....	187	
42224	Andrew Chicks .....	188	
42225	Sarah Davids.....	189	
42226	Job Moore.....	191	
42227	William Gardner .....	S. part of 192, and 221 .....	50
42228	Mordy Mann.....	N. part of 192, and 221 .....	70
42229	Mary N. Chicks.....	194	
42230	William Gardner.....	220	
42231	Triphane E. Jourdain.....	222	
42232	Caleb Moors.....	223	
42233	Isaac Simons .....	224	
42234	Isabel Chicks.....	225	
42235	Sophia M. Jourdain .....	226	
42236	Jesse Bowman .....	227	
42237	Catharine Franks .....	228	
42238	Jonathan Chicks.....	229	
42239	Jonas Davids.....	231	
42240	Adam Davids .....	232	
42241	Linke Jourdain .....	233	
42242	Elizabeth Moore .....	234	
42243	Joseph Duxtater .....	235	
42244	George Bennet ....	237	
42245	Isaac Simmons.....	240	
42246	Abigail Moore .....	263	
42247	Henry Moore .....	264	
42248	William Scott .....	265	
42249	William Scott .....	S. $\frac{1}{2}$ 266	
42250	George Bennet .....	N. $\frac{1}{2}$ 266	
42251	Reuben Johnson .....	267	
42252	Silas Jourdain .....	268	
42253	Jesse M. Jourdain.....	271	
42254	Simon Gardner .....	274	
42255	Hannah Moore.....	276	
42256	Solomon Davids .....	277	

42257	Names.	No. of lot.	No. of acres.
42258	Edward Howell.....	279	
42259	Harriet Johnson .....	280	
42260	Lucinda Gardner .....	282	
42261	Hope Moore ..	284	
42262	Jemison C. Chicks.....	308	
42263	Obadiah Gardner.....	309	
42264	Rachael Davids.....	313	
42265	Julius Davids.....	314	
42266	Elizabeth Bowman.....	315	
42267	Jeremiah Gardner.....	316	
42268	Mary Jane Bowman.....	317	
42269	Nancy Johnson .....	319	
42270	Jason Simmons .....	320	
42271	Betsy Menagre.....	321	
42272	Darius Davids .....	323	
42273	Humble M. Jourdain .....	325	
42274	Stephen Gardner.....	326	
42275	Francis T. Davids.....	327	
42276	Mary McCallister .....	328	
42277	Mary Hendrick.....	335	
42278	Susannah Hendrick .....	349	
42279	Jacob Moore.....	355	
42280	David Gardner.....	357	
42281	George Gardner.....	359	
42282	Catharine Bowman.....	360	
42283	Serepta Johnson .....	361	
42284	Thankful Stephens.....	362	
42285	William Gardner.....	364	
42286	Joseph Chicks .....	365	
42287	John Chicks.....	366	
42288	Charles Stephens.....	367, 368	
42289	Timothy Jourdain.....	369, 370, 371	
42290	Jacob Chicks .....	372, 373	
42291	Paul D. Hayward.....	375	
42292	State of Winconsin.....	383	School purposes.
42293	Timothy Jourdain.....	384	
42294	Jeremiah Johnson .....	385, 389	
42295	American Board of		
42296	Commissioners for }	386, 390	
42297	Foreign Missions. }		
42298	Jacob Chick.....	387, 391	
42299	Timothy Jourdain.....	388	
42300	John N. Chicks .....	392, 396	
42301	William Gardner.....	393, 394, 397, 398	
42302	Lemuel Goodell.....	N. end 395 2 acres.	
42303		M. L. MARTIN.	
42304		ALBERT G. ELLIS.	

42305 *Valuation of improvements, (vide Art. 6.)*

		Acres.	Dollars.
42306			
42307	Austin E. Quinney.....	163.38	2,760 63
42308	.....	49.50	718 25
42309	Joseph M. Quinney.....	30.90	617 15
42310	Samuel Stevens.....	38.76	703 26
42311	Moses Chicks.....	43.00	980 50
42312	Elizabeth Palmer.....	29.06	512 41
42313	Samuel Miller.....	55.62	880 87
42314	Elisha Konkapot.....	5.00	142 50
42315	Peter D. Littleman.....	3.25	168 88
42316	John P. Quinney.....	15.50	267 50
42317	Heirs of J. Yocum.....	5.78	78 03
42318	Aaron Turkey.....	6.00	311 00
42319	Benjamin Pye, 2d.....	40.00	640 00
42320	John Metoxen.....	50.00	825 00
42321	Mrs. B. Wright.....	5.00	67 50
42322	Abraham Pye.....	30.00	495 00
42323	Benjamin Pye, 4th.....	.....	40 00
42324	Benjamin Pye, sr.....	.....	40 00
42325	Benjamin Pye, 3d.....	20.00	350 00
42326	Garrett Thompson.....	30.00	485 00
42327	Ziba T. Peters.....	10.00	215 00
42328	Betsey T. Aaron.....	3.00	85 00
42329	Thomas Skenandoah.....	17.00	349 50
42330	Simon S. Metoxen.....	30.00	535 00
42331	Elizabeth Wilber.....	41.62	711 87
42332	Ezekiel Robinson.....	4.00	60 00
42333	J. W. Quinney.....	60.00	1,315 00
42334	School-house.....	.....	150 00
42335			
42336			\$15,504 85
42337	Ratified March 1, 1849.		

42338 FRANKLIN PIERCE, President of the United States of America,  
 42339 to all and singular to whom these presents shall come, greet-  
 42340 ing:

42341 Whereas a treaty was made and concluded at Stockbridge,  
 42342 in the State of Wisconsin, on the fifth day of February, eighteen  
 42343 hundred and fifty-six, between Francis Huebschmann, commis-  
 42344 sioner on the part of the United States, and the Stockbridge and  
 42345 Munsee tribes of Indians, assembled in general council, and such  
 42346 of the Munsees as were included in the treaty of September third,  
 42347 eighteen hundred and thirty-nine, but are yet residing in the  
 42348 State of New York, by their duly authorized delegates, William

42349 Mohawk and Joshua Willson, which treaty is in the words and  
42350 figures following, to wit :

42351 Whereas by Senate amendment to the treaty with the Me-  
42352 nomonees of February eighth, one thousand eight hundred and  
42353 thirty-one, two townships of land on the east side of Winnebago  
42354 Lake, Territory of Wisconsin, were set aside for the use of the  
42355 Stockbridge and Munsee tribes of Indians, all formerly of the  
42356 State of New York, but a part of whom had already removed to  
42357 Wisconsin ; and

42358 Whereas said Indians took possession of said lands, but dis-  
42359 sensions' existing among them led to the treaty of September  
42360 third, one thousand eight hundred and thirty-nine, by which the  
42361 east half of said two townships was retroceded to the United  
42362 States, and in conformity to which a part of said Stockbridges  
42363 and Munsees emigrated west of the Mississippi ; and

42364 Whereas, to relieve them from dissensions still existing, by  
42365 "An act for the relief of the Stockbridge tribe of Indians in the  
42366 Territory of Wisconsin," approved March third, one thousand  
42367 eight hundred and forty-three, it was provided that the remain-  
42368 ing townships of land should be divided into lots and allotted  
42369 between the individual members of said tribe ; and

42370 Whereas a part of said tribe refused to be governed by the  
42371 provisions of said act, and a subsequent act was passed on the  
42372 sixth day of August, one thousand eight hundred and forty-six,  
42373 repealing the aforementioned act, but without making provision  
42374 for bona fide purchasers of lots in the townships subdivided in  
42375 conformity to the said first-named act ; and

42376 Whereas it was found impracticable to carry into effect the  
42377 provisions of the last-mentioned act, and, to remedy all difficul-  
42378 ties, a treaty was entered into on the twenty-fourth of Novem-  
42379 ber, one thousand eight hundred and forty-eight, wherein,  
42380 among other provisions, the tribe obligated itself to remove to  
42381 the country west of the Mississippi set apart for them by the  
42382 amendment to said treaty ; and

42383 Whereas dissensions have yet been constantly existing  
42384 amongst them, and many of the tribe refused to remove when  
42385 they were offered a location in Minnesota, and applied for a re-  
42386 trocession to them of the township of Stockbridge, which has  
42387 been refused by the United States ; and

42388 Whereas a majority of the said tribe of Stockbridges and  
42389 the Munsees are averse to removing to Minnesota and prefer a  
42390 new location in Wisconsin, and are desirous soon to remove and  
42391 to resume agricultural pursuits, and gradually to prepare for  
42392 citizenship, and a number of other members of the said tribe  
42393 desire at the present time to sever their tribal relations and to

42394 receive patents for the lots of land at Stockbridge now occupied  
42395 by them ; and

42396 Whereas the United States are willing to exercise the same  
42397 liberal policy as heretofore, and for the purpose of relieving  
42398 these Indians from the complicated difficulties by which they  
42399 are surrounded, and to establish comfortably together all such  
42400 Stockbridges and Munsees, wherever they may be now located,  
42401 in Wisconsin, in the State of New York, or west of the Missis-  
42402 sippi, as were included in the treaty of September third, one  
42403 thousand eight hundred and thirty-nine, and desire to remain  
42404 for the present under the paternal care of the United States  
42405 Government ; and for the purpose of enabling such individuals  
42406 of said tribes as are now qualified and desirous to manage their  
42407 own affairs, to exercise the rights and to perform the duties of  
42408 the citizen, these articles of agreement have been entered into:

42409 Articles of agreement and convention made and concluded at  
42410 Stockbridge, in the State of Wisconsin, on the fifth day of  
42411 February, in the year of our Lord one thousand eight hun-  
42412 dred and fifty-six, between Francis Huebschmann, commis-  
42413 sioner on the part of the United States, and the Stock-  
42414 bridge and Munsee tribes of Indians, assembled in general  
42415 council, and such of the Munsees who were included in the  
42416 treaty of September third, one thousand eight hundred and  
42417 thirty-nine, but are yet residing in the State of New York,  
42418 by their duly authorized delegates, William Mohawk and  
42419 Joshua Willson.

42420 ARTICLE 1. The Stockbridge and Munsee tribes, who were  
42421 included in the treaty of September third, one thousand eight  
42422 hundred and thirty-nine, and all the individual members of said  
42423 tribes, hereby jointly and severally cede and relinquish to the  
42424 United States all their remaining right and title in the lands at  
42425 the town of Stockbridge, State of Wisconsin, the seventy-two  
42426 sections of land in Minnesota set aside for them by the amend-  
42427 ment to the treaty of November twenty-fourth, one thousand  
42428 eight hundred and forty-eight, the twenty thousand dollars  
42429 stipulated to be paid to them by the said amendment, the six-  
42430 teen thousand five hundred dollars invested by the United  
42431 States in stocks for the benefit of the Stockbridge tribe in con-  
42432 formity to Article 9 of the said treaty, and all claims set up by  
42433 and for the Stockbridge and Munsee tribes, or by and for the  
42434 Munsees separately, or by and for any individuals of the Stock-  
42435 bridge tribe who claim to have been deprived of annuities since  
42436 the year one thousand eight hundred and forty-three, and all  
42437 such and other claims set up by or for them or any of them are  
42438 hereby abrogated, and the United States released and discharged  
42439 therefrom.

42440 ARTICLE 2. In consideration of such cession and relinquish-  
 42441 ment by said Stockbridges and Munsees, the United States agree  
 42442 to select as soon as practicable and to give them a tract of land  
 42443 in the State of Wisconsin, near the southern boundary of the  
 42444 Menomonee reservation, of sufficient extent to provide for each  
 42445 head of a family and others lots of land of eighty and forty acres,  
 42446 as hereinafter provided ; every such lot to contain at least one-  
 42447 half of arable land, and to pay to be expended for improvements  
 42448 for the said Stockbridges and Munsees, as provided in article  
 42449 4, the sum of forty-one thousand one hundred dollars, and a  
 42450 further sum of twenty thousand five hundred and fifty dollars to  
 42451 enable them to remove.\*

42452 "And the further sum of eighteen thousand dollars, (twelve  
 42453 thousand for the Stockbridges and six thousand for the Mun-  
 42454 sees,) to be expended at such time and in such manner as may  
 42455 be prescribed by the Secretary of the Interior, in the purchase  
 42456 of stock and necessities, the discharge of national or tribal debts,  
 42457 and to enable them to settle their affairs."

42458 ARTICLE 3. As soon as practicable after the selection of the  
 42459 lands set aside for these Indians by the preceding article, the  
 42460 United States shall cause the same to be surveyed into sections,  
 42461 half and quarter sections, to correspond with the public surveys,  
 42462 and the council of the Stockbridges and Munsees shall, under the  
 42463 direction of the superintendent of Indian affairs for the northern  
 42464 superintendency, make a fair and just allotment among the in-  
 42465 dividuals and families of their tribes. Each head of a family  
 42466 shall be entitled to eighty acres of land, and in case his or her  
 42467 family consists of more than four members, if thought expedient  
 42468 by the said council, eighty acres more may be allotted to him or  
 42469 her; each single male person above eighteen years of age shall  
 42470 be entitled to eighty acres; and each female person above  
 42471 eighteen years of age, not belonging to any family, and each  
 42472 orphan child, to forty acres; and sufficient land shall be reserved  
 42473 for the rising generation.

42474 After the said allotment is made, the persons entitled to  
 42475 land may take immediate possession thereof, and the United  
 42476 States will thenceforth and until the issuing of the patents, as  
 42477 hereinafter provided, hold the same in trust for such persons,  
 42478 and certificates shall be issued, in a suitable form, guaranteeing  
 42479 and securing to the holders their possession and an ultimate  
 42480 title to the land; but such certificates shall not be assignable,  
 42481 and shall contain a clause expressly prohibiting the sale or trans-  
 42482 fer by the holder of the land described therein. After the expi-  
 42483 ration of ten years, upon the application of the holder of such  
 42484 certificate, made with the consent of the said Stockbridge and  
 42485 Munsee council, and when it shall appear prudent and for his

42486 or her welfare, the President of the United States may direct  
 42487 that such restriction on the power of sale shall be withdrawn and  
 42488 a patent issued in the usual form.

42489 Should any of the heads of families die before the issuing of  
 42490 the certificates or patents herein provided for, the same shall  
 42491 issue to their heirs; and if the holder of any such certificate shall  
 42492 die without heirs, his or her land shall not revert to the United  
 42493 States, unless on petition of the Stockbridge and Munsee council  
 42494 for the issuing of a new certificate for the land of such deceased  
 42495 person to the holder of any other certificate for land, and on the  
 42496 surrendering to the United States of such other certificate by  
 42497 the holder thereof, the President shall direct the issuing of a  
 42498 new certificate for such land; and in like manner new certificates  
 42499 may be given for lots of land, the prior certificates for which  
 42500 have been surrendered by the holders thereof.

42501 ARTICLE 4. Of the monies set aside for improvements by  
 42502 the second of these articles, not exceeding one-fourth shall be  
 42503 applied to the building of roads leading to and through said  
 42504 lands: to the erection of a school-house, and such other improve-  
 42505 ments of a public character as will be deemed necessary by the  
 42506 said Stockbridge and Munsee council, and approved by the  
 42507 superintendent of the northern superintendency. The residue  
 42508 of the said fund shall be expended for improvements to be made  
 42509 by and for the different members and families composing the  
 42510 said tribes, according to a system to be adopted by the said  
 42511 council, under the direction of the superintendent aforesaid, and  
 42512 to be first approved by the Commissioner of Indian Affairs.

42513 ARTICLE 5. The persons to be included in the apportion-  
 42514 ment of the land and money to be divided and expended under  
 42515 the provisions of this agreement shall be such only as are ac-  
 42516 tual members of the said Stockbridge and Munsee tribes, (a roll  
 42517 or census of whom shall be taken and appended to this agree-  
 42518 ment,) their heirs and legal representatives; and hereafter the  
 42519 adoption of any individual amongst them shall be null and void  
 42520 except it be first approved by the Commissioner of Indian  
 42521 Affairs.

42522 ARTICLE 6. In case the United States desire to locate on  
 42523 the tract of land to be selected as herein provided, the Stock-  
 42524 bridges and Munsees emigrated to the west of the Mississippi,  
 42525 in conformity to the treaty of September third, one thousand  
 42526 eight hundred and thirty-nine, the Stockbridges and Munsees  
 42527 parties to this treaty, agreed to receive them as brethren: *Pro*  
 42528 *vided*, That none of the said Stockbridges and Munsees, whether  
 42529 now residing at Stockbridge, in the State of Wisconsin, in  
 42530 the State of New York, or west of the Mississippi, shall be en-  
 42531 titled to any of these lands or the money stipulated to be ex-

42532 pended by these articles, unless they remove to the new location  
42533 within two years from the ratification hereof.

42534 ARTICLE 7. The said Stockbridges and Munsees hereby set  
42535 aside, for educational purposes exclusively, their portion of the  
42536 annuities under the treaties of November the eleventh, one thou-  
42537 sand seven hundred and ninety-four; August eleventh, one  
42538 thousand eight hundred and twenty-seven; and September  
42539 third, one thousand eight hundred and thirty-nine.

42540 ARTICLE 8. One hundred and fifty dollars valuation of the  
42541 school-house at Stockbridge, made in conformity to article 6  
42542 of the treaty of November twenty-fourth, one thousand eight  
42543 hundred and forty-eight, and remaining unpaid, shall be expend-  
42544 ed in the erection of a school-house, with the other funds set  
42545 aside for the same purpose by article 4 of this agreement.

42546 ARTICLE 9. About seven and two-fifths acres, bounded as  
42547 follows: Beginning at the northeast corner of lot eighty-nine,  
42548 in the centre of the military road; thence west along the north  
42549 line of said lot fifty-four and a quarter rods; thence south  
42550 thirty-eight and a quarter rods; thence east twenty-eight and a  
42551 quarter rods; thence north thirty four and a quarter rods;  
42552 thence east twenty-six rods; thence north four rods, to the  
42553 place of beginning, comprising the ground heretofore used by  
42554 the Stockbridges to bury their dead, shall be patented to the  
42555 supervisors of the town of Stockbridge, to be held by them and  
42556 their successors in trust for the inhabitants of said town, to be  
42557 used by them as a cemetery, and the proceeds from cemetery  
42558 lots and burial-places to be applied in fencing, clearing, and  
42559 embellishing the grounds.

42560 ARTICLE 10. It is agreed that all roads and highways laid  
42561 out by authority of law shall have right of way through the  
42562 lands set aside for said Indians on the same terms as are pro-  
42563 vided by law for their location through lands of citizens of the  
42564 United States.

42565 ARTICLE 11. The object of this instrument being to advance  
42566 the welfare and improvement of said Indians, it is agreed, if it  
42567 prove insufficient from causes which cannot now be foreseen, to  
42568 effect these ends, that the President of the United States may,  
42569 by and with the advice and consent of the Senate, adopt such  
42570 policy in the management of their affairs as in his judgment  
42571 may be most beneficial to them; or Congress may, hereafter,  
42572 make such provision by law as experience shall prove to be  
42573 necessary.

42574 ARTICLE 12. The said Stockbridges and Munsees agree to  
42575 suppress the use of ardent spirits among their people, and to re-  
42576 sist, by all prudent means, its introduction in their settlements.

42577 ARTICLE 13. The Secretary of the Interior, if deemed by

42578 him expedient and proper, may examine into the sales made by  
 42579 the Stockbridge Indians to whom lots of land were allotted in  
 42580 conformity to the acts of Congress, entitled "An act for the re-  
 42581 lief of the Stockbridge tribe of Indians in the Territory of Wis-  
 42582 consin," approved March third, one thousand eight hundred and  
 42583 forty-three; and if it shall be found that any of the said sales  
 42584 have been improperly made, or that a proper consideration has  
 42585 not been paid, the same may be disapproved or set aside. By  
 42586 the direction of the said Secretary, patents to such lots of land  
 42587 shall be issued to such persons as shall be found to be entitled  
 43588 to the same.

42589 ARTICLE 14. The lots of land the equitable title to which  
 42590 shall be found not to have passed by valid sales from the Stock-  
 42591 bridge Indians to purchasers, and such lots as have, by the  
 42592 treaty of November twenty-fourth, one thousand eight hundred  
 42593 and forty-eight, been ceded to the United States, shall be sold  
 42594 at the minimum price of ten dollars per acre for lots fronting on  
 42595 Lake Winnebago, on both sides of the military road, and all the  
 42596 lands in the three tiers of lots next to Lake Winnebago, and at  
 42597 five dollars per acre for the residue of the lands in said town-  
 42598 ship of Stockbridge. Purchasers of lots on which improve-  
 42599 ments were made by Stockbridge Indians shall pay, in addition  
 42600 to the said minimum price, the appraised value of such improve-  
 42601 ments. To actual settlers on any of said lots possessing the  
 42602 qualifications requisite to acquire pre-emption rights, or being  
 42603 civilized persons of Indian descent, not members of any tribe,  
 42604 who shall prove, to the satisfaction of the register of the land  
 42605 district to which the township of Stockbridge shall be attached,  
 42606 that he or she has made improvements to the value of not less  
 42607 than fifty dollars on such lot, and that he or she is actually re-  
 42608 siding on it, the time of paying the purchase-price may be  
 42609 extended for a term not exceeding three years from the ratifica-  
 42610 tion hereof, as shall be deemed advisable by the President of  
 42611 the United States, provided that no such actual settler shall be  
 42612 permitted to pre-empt, in the manner aforesaid, more than one  
 42613 lot, or two contiguous lots, on which he has proved to have  
 42614 made improvements exceeding the value of one hundred dollars.  
 42615 The residue of said lots shall be brought into market as other  
 42616 Government lands are offered for sale, and shall not be sold at a  
 42617 less price than the said minimum price; and all said sales shall  
 42618 be made, and the patents provided for in these articles shall be  
 42619 issued, in accordance with the survey made in conformity to  
 42620 said act of March third, one thousand eight hundred and forty-  
 42621 three, unless, in the opinion of the Secretary of the Interior, a  
 42622 new survey shall be deemed necessary and proper.

42623 ARTICLE 15. The United States agree to pay, within one

42624 year after the ratification of this agreement, the appraised value  
 42625 of the improvements upon the lands herein ceded and relin-  
 42626 quished to the United States, to the individuals claiming the  
 42627 same, the valuation of such improvements to be made by a per-  
 42628 son to be selected by the superintendent of Indian affairs for  
 42629 the northern superintendency, and not to exceed, in the aggre-  
 42630 gate, the sum of five thousand dollars.

42631 ARTICLE 16. The hereinafter named Stockbridge Indians  
 42632 having become sufficiently advanced in civilization, and being  
 42633 desirous of separating from the Stockbridge tribe, and of en-  
 42634 joying the privileges granted to persons of Indian descent by  
 42635 the State of Wisconsin, and in consideration of ceding and re-  
 42636 linquishing to the United States all their rights in the lands and  
 42637 annuities of the Stockbridge tribe of Indians, and in the annu-  
 42638 ities, money, or land to which said Indians now are or may  
 42639 hereafter be entitled, the United States agree to issue patents in  
 42640 fee-simple to the said Stockbridge Indians to the lots of land, at  
 42641 the town of Stockbridge, described and set opposite their names.

42642	Names of persons.*	Lots to be patented to them.	Lots, the privilege of entering which on the same terms of payment as prescribed for actual settlers in article 14 is granted.
42643	John Moore .....	9, 38, and 105.	226 and 187
42644	Job Moore.....	69, 176 and 191	280 .....
42645	Sopha Moore .....	177 .....	.....
42646	Caleb Moore.....	223 .....	.....
42647	Elizabeth Moore .....	234 .....	.....
42648	Henry Moore .....	264 .....	233.....
42649	Daniel Davids' heirs.....	47, N. half 48, 60	.....
42650	John Littleman's heirs.....	113 .....	.....
42651	Jane Dean's heirs .....	30 .....	.....
42652	A. Miller's heirs.....	14 .....	.....
42653	Mary McAllister.....	N. half 280 ...	S. half 280
42654	Hope Welch.....	284 .....	.....
42655	Catharine Mills .....	S. half 194....	N. half 194
42656	Nancy Hom .....	N. half 270....	S. half 270
42657	Margaret Beaulieu .....	N. half 238....	S. half 238
42658	Sally Shenandoah.....	76 .....	.....
42659	Jacob Moore.....	233 .....	190 .....
42660	Martha Moore, wife of Jacob Moore	253 .....	.....
42661	Betsey Manague .....	N. half 349....	S. half 349
42662	Levy Konkapot.....	61, 152.....	.....
42663	Mary Hendrick .....	78 .....	.....
42664	John W. Abrams.....	59 .....	.....
42665	The said Mary Hendrick, and Levy Konkapot, John W.		
42666	Abrams to have the privilege of joining again the said Stock-		
42667	bridges and Munsees in their new location.		

42668 ARTICLE 17. So much of the treaties of September third,  
 42669 one thousand eight hundred and thirty-nine, and of November  
 42670 twenty-fourth, one thousand eight hundred and forty-eight, as is  
 42671 in contravention or in conflict with the stipulations of this  
 42672 agreement, is hereby abrogated and annulled.

42673 ARTICLE 18. This instrument shall be binding upon the  
 42674 contracting parties whenever the same shall be ratified by the  
 42675 President and the Senate of the United States.

42676 *Roll and census made in conformity to article 5 of the foregoing*  
 42677 *treaty.*

42678	Names.—Census of the Munsees of New York. included in the treaty of September 3, 1839.	Men.	Women.	Children.	Total.
42679	Isaac Durkee .....	1	1	2	4
42680	William Mohawk.....	1	1	2	4
42681	Titus Mohawk.....	..	..	1	1
42682	Thomas Snake's widow.	..	1	1	2
42683	Austin Half White.....	..	..	1	1
42684	Clarissa Spragg.....	..	1	7	8
42685	George Moses.....	1	1	2	4
42686	Jonathan Waterman...	1	1	5	7
42687	Jonathan Titus.....	1	..	..	1
42688	Levy Halftown.....	1	1	7	9
42689	Jefferson Halftown.....	1	1	..	2
42690	Eunice Red Eye.....	..	1	5	6
42691	John Wilson.....	1	1	3	5
42692	Joshua Wilson.....	1	1	2	4

42693	Names.—Census of Stockbridges and Munsees at Stockbridge, Wisconsin.	Men.	Women.	Children.	Total.
42694	John N. Chicks.....	1	..	3	4
42695	Jeremiah Slingerland...	1	1	3	5
42696	John W. Abrams.....	1	1	4	6
42697	Ziba T. Peters.....	1	1	2	4
42698	Levy Konkapot.....	1	..	..	1
42699	Thomas S. Branch.....	1	1	2	4
42700	Jacob Davids.....	1	1	4	6
42701	John W. Quinney, jr....	1	1	2	4
42702	Timothy Jourdan.....	1	1	3	5
42703	John Yoccum.....	1	1	4	6
42704	George T. Bennet. ....	1	1	3	5
42705	Jacob Konkapot.....	1	1	3	5
42706	Jesse Jourdan.....	1	1	2	4
42707	Jeremiah Bennet.....	1	1	2	4
42708	Isaac Jacobs.....	1	1	1	3
42709	James Joshua .....	1	..	..	1
42710	Benjamin Pye, 2d .....	1	2	4	7
42711	John P. Hendricks .....	1	1	2	4

Names.—Census of Stockbridges and Munsees at Stockbridge, Wisconsin.				
	Men.	Women.	Children.	Total.
42712 Eli Williams.....	1	1	3	5
42714 Cornelius Anthony.....	1	1	2	4
42715 Lewis Hendrick.....	1	..	..	1
42716 Adam Davids.....	1	1	2	4
42717 Elias Konkapot.....	1	..	..	1
42718 Jedediah Wilber.....	1	..	..	1
42719 William Gardner.....	1	1	3	5
42720 Stephen Gardner.....	1	1	1	3
42721 Simeon Gardner.....	1	1	1	3
42722 Polly Bennett.....	..	1	2	3
42723 Eleanor Charles.....	..	1	..	1
42724 Mary Hendrick.....	..	1	..	1
42725 Susannah Hendrick.....	..	1	..	1
42726 Joseph Duxtater.....	1	1	..	2
42727 Joseph L. Chicks.....	1	..	3	4
42728 James Chicks.....	..	..	1	1
42729 Solomon Davids.....	1	1	1	3
42730 Elizabeth Bowman.....	..	1	3	4
42731 Humble Jourdan.....	1	1	..	2
42732 Phebe Pye.....	..	1	..	1
42733 Jacob Jacobs.....	1	..	..	1
42734 Aaron Konkapot.....	1	..	..	1
42735 Jeremiah Gardiner.....	1	..	..	1
42736 Andrew Wilber.....	1	..	..	1
42737 Prudence Quinney.....	..	1	..	1
42738 Bethseba Wright.....	..	1	..	1
42739 Alonzo Quinney.....	1	..	..	1
42740 Rebecca Thompson.....	..	1	..	1
42741 Peter Bennett, sen.....	1	1	4	6
42742 Peter Bennett, jr.....	1	1	..	2
42743 Daniel Gardner.....	1	..	..	1
42744 Bathseba Brown.....	..	1	..	1
42745 Dennis T. Turkey.....	1	1	..	2
42746 Benjamin Pye, 3d.....	1	1	4	6
42747 Abram Pye, sen.....	1	..	2	3
42748 Abram Pye, jr.....	1	..	..	1
42749 David Pye.....	1	..	..	1
42750 Elizabeth Duxtater.....	..	1	4	5
42751 Margaret Davids.....	..	1	1	2
42752 Cornelius Aaron.....	1	1	1	3
42753 Anna Turkey.....	..	1	..	1
42754 Phebe Skicket.....	..	1	..	1
42755 Louisa Konkapot.....	..	1	..	1
42756 Elizabeth Aaron.....	..	1	..	1
42757 Rebecca Aaron.....	..	1	..	1

	Names.—Census of Stockbridges and Munsees at Stockbridge, Wisconsin.				
	Men.	Women.	Children.	Total.	
42758 Benjamin Pye, 4th.....	1	1	3	5	
42760 Paul Pye.....	1	..	..	1	
42761 Jackson Chicks and one					
42762     other orphan, heirs of					
42763     Josiah Chicks.....	..	..	2	2	
42764 Electa W. Candy.....	1	1	4	6	
42765 Cornelius Yoccum.....	1	1	3	5	
42766 Harriet Jourdan.....	..	1	..	1	
42767 Levina Pye.....	..	1	..	1	
42768 Charlotte Palmer.....	..	1	3	4	
42769 Remona Miller.....	..	1	2	3	
42770 Hannah Turkey.....	..	1	3	4	
42771 Bigdeer .....	1	..	..	1	
42772 Elizabeth Wilber.....	..	1	2	3	
42773 Harvey Johnson.....	1	1	7	9	
42774 Mary Eliza Butler.....	..	1	3	4	
42775 Thomas Tousey.....	1	1	6	8	
42776 Chester Tousey.....	1	1	5	7	
42777 Daniel Tousey.....	1	..	..	1	
42778 Sarah Tousey.....	..	1	..	1	
42779 Philena Pye, 1st.....	..	1	..	1	
42780 Lucinda Quinney.....	..	1	2	3	
42781 Eliza Franks.....	..	1	1	2	
42782 Lucinda Gardner.....	..	1	1	2	
42783 Mary Jane Bowman....	..	1	..	1	
42784 Debby Baldwin.....	..	1	2	3	
42785 Edward Bowman.....	1	1	1	3	
42786 Moses Smith.....	1	1	2	4	
42787 Dolly Duxtater.....	..	1	1	2	
42788 Polly Smith.....	..	1	..	1	
42789 Aaron Smith, (Hannah					
42790     Smith).....	1	1	2	4	
42791 Polly Ponkapot.....	..	1	..	1	
42792 John Lewis.....	1	..	..	1	
42793 Peter D. Littleman.....	1	1	4	6	
42794 Clarissa Miller.....	..	1	..	1	
42795 John P. Quinney, (absent)	1	1	..	2	
42796 Paul Quinney, (absent).	1	1	1	3	
42797 Charles Stevens.....	1	..	..	1	
42798 Samuel Stevens.....	1	1	..	2	
42799 Samuel Miller.....	..	1	4	5	
42800 John Metoxen, sen .....	1	1	..	2	
42801 Simeon S. Metoxen.....	1	1	4	6	
42802 Nicholas Palmer .....	1	1	2	4	
42803 Daniel Metoxen.....	1	..	..	1	

42804	Names.—Census of Stockbridges and Munsees at Stockbridge, Wisconsin.	Men.	Women.	Children.	Total.
42805	Moses Duxtator .....	1	1	2	4
42806	Darius Charles .....	1	..	2	3
42807	Catharine Butterfield .....	..	1	1	2
42808	Washington Quinney .....	1	1	3	5
42809	Ezekiel Robinson .....	1	..	..	1
42810	Sally Pye .....	..	1	2	3
42811	James Palmer .....	1	..	2	3
42812	Jonas Thompson .....	1	1	3	5
42813	William Thompson .....	1	..	..	1
42814	Austin E. Quinney .....	1	1	3	5
42815	John Beaman .....	1	..	..	1
42816	Simeon Quinney .....	1	1	1	3
42817	Elizabeth Palmer .....	..	1	..	1
42818	Margaret Miller .....	..	1	2	3
42819	William Miller .....	1	..	..	1
42820	Zachariah Milier .....	1	1	..	2
42821	Solomon Duchamp .....	1	..	..	1
42822	John Metoxen, jr. ....	1	..	..	1
42823	Jospeh M. Quinney .....	1	1	1	3
42824	Mary Quinney .....	..	1	..	1
42825	Frelinghuysen Quinney ..	1	..	..	1
42826	Bartholomew Bowman ..	1	..	..	1
42827	Lewis Bowman .....	1	..	..	1

42828 *Roll and Census of Stockbridges and Munsees who prefer to re-*  
 42829 *main at Stockbridge according to article 16.*

42830	Names.	Men.	Women.	Children.	Total.
42831	John Moore .....	1	..	..	1
42832	Job Moore .....	1	1	6	8
42833	Sophia Moore .....	..	1	..	1
42834	Caleb Moore .....	..	..	..	..
42835	Elizabeth Moore .....	..	..	..	..
42836	Henry Moore .....	1	..	1	2
42837	Diana Davids .....	..	1	..	1
42838	Mary Ann Littleman .....	..	1	1	2
42839	Mary Jane Dean. } Children {	..	..	1	1
42840	Daniel P. Dean. } of Jane {	..	..	1	1
42841	John W. Dean. } Dean. {	..	..	1	1
42842	Dideema Miller .....	..	1	..	1
42843	Darius Davids .....	1	..	..	1
42844	Mary McAllister .....	..	..	1	1
42845	Hope Welch .....	..	1	..	1
42846	Catharine Mills .....	..	1	..	1

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	Names.	Men.	Women.	Children.	Total
42847					
42848	Nancy Hom .....	..	1	..	1
42849	Margaret Beaulieu.....	..	1	5	6
42850	Sally Schenandoah.....	..	1	2	3
42851	Betsey Manague .....	..	1	5	6
42852	Jacob Moore.....	1	1	2	4

42853

FRANCIS HUEBSCHMANN,

42854

*Commissioner.*

42855

ZIBA T. PETERS, *Sachem.*

42856

DEPARTMENT OF THE INTERIOR,

42857

*Office Indian Affairs, March 3, 1856.*

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SIR: Referring to my last two annual reports, where the embarrassed condition of the Stockbridge and Munsee Indians is discussed, and to the paragraph of the general Indian appropriation bill, of the 3d March, 1855, Stat. at Large, vol. x, p. 699, where there is appropriated, "for the purpose of enabling the President to treat with and arrange the difficulties existing among the Stockbridge and Munsee Indians of Lake Winnebago, in the State of Wisconsin, arising out of the acts of Congress of third March, eighteen hundred and forty-three, and August sixth, eighteen hundred and forty-six, and the treaty of twenty-fourth of November, eighteen hundred and forty-eight, in such manner as may be just to the Indians, and with their assent, and not inconsistent with the legal rights of white persons who may reside on the Stockbridge reserve, of the claim of the United States under the treaty of eighteen hundred and forty-eight, the sum of fifteen hundred dollars;" and also to the treaty which was made between these Indians and Superintendent Francis Huebschmann, during the last summer, which for reasons then given you, was disapproved of, I have now the honor to send up a treaty concluded with them on the 5th ultimo, by Superintendent Huebschmann, the provisions of which are approved by me, and would recommend, if you agree, that it may be laid before the President, to the end, if approved by him, that it may be sent to the Senate for its constitutional action thereon.

And I herewith transmit a copy of the letter of the superintendent sending on said treaty, together with a copy of a power of attorney from certain Munsees to Isaac Durkee, William Mohawk, and Joshua Wilson, for purposes therein indicated.

I would merely remark that by locating the Stockbridges in Wisconsin instead of Minnesota about \$20,000 of expense would be saved in removal, while a location in Minnesota could not be more out of the way of the whites, and the lands there

42892 would be worth to the Government at least as much as the price  
42893 to be paid the Menomonees.

42894 Very respectfully, your obedient servant,  
42895 GEO. W. MANYPENNY, *Commissioner*.

42896 Hon. ROBERT McCLELLAND,  
42897 *Secretary of the Interior*.

42898 NORTHERN SUPERINTENDENCY,  
42899 *Milwaukee, February 23, 1856.*

42900 SIR: I have the honor to enclose a treaty with the Stock-  
42901 bridges and Munsees, concluded in conformity to your instruc-  
42902 tions. In consequence of the complicated difficulties at Stock-  
42903 bridge, and the factious spirit ruling among the Indians, the  
42904 task imposed upon me was not an easy one, and required ex-  
42905 traordinary patience and forbearance. I believe I have used all  
42906 proper means to make the arrangement contemplated by the  
42907 treaty as acceptable to all parties interested as could be expected  
42908 under the circumstances. However, about one-fifth of the In-  
42909 dians, headed by Austin E. Quinney, and mostly consisting of  
42910 members of the Quinney family, did not sign the treaty, but  
42911 without giving any sensible reason. The only two objections  
42912 raised by Austin E. Quinney to the draft of the treaty were:  
42913 *First*, That the issuing of patents to lands, to be apportioned to  
42914 the individuals of the tribe, was contemplated. This objection  
42915 was virtually obviated by amending the treaty so that the ap-  
42916 plication for a patent to be made after ten years has first to be  
42917 consented to by the general council of the Stockbridges and  
42918 Munsees.

42919 His second objection was that there was no provision made  
42920 for the payment of a claim he himself has against the tribe.  
42921 Though I invited him to submit the claim to me for examina-  
42922 tion, he did not do so, and, from what I learned from himself  
42923 and others, it appears that it would, if submitted, not bear very  
42924 accurate examination, as about half of it is made up of high  
42925 charges for meals furnished councillors of the Stockbridges, and  
42926 the other half for funds advanced to one certain Chandler, on  
42927 his share of the twenty thousand dollars to be paid under the  
42928 amendment to the treaty of 1848 for procuring the adoption of  
42929 the said amendment.

42930 The real objection on the part of the Quinneys to the re-or-  
42931 ganization of the Stockbridges and Munsees under this treaty  
42932 is, no doubt, the certainty staring them in the face that their  
42933 rule over the tribe will be at an end if the treaty is ratified. To  
42934 show what use this family has made of their power over the  
42935 tribe, I will only mention a few instances. Though claiming to  
42936 hold their lands again in commonalty in consequence of the law

42937 of August 6, 1846, Austin E. Quinney, by barter and trade car-  
 42938 ried on with widows and other Indians, and by advancing to  
 42939 them a few provisions, pretended to have bought their lots of  
 42940 land, and under the treaty of 1848 he not only received pay for  
 42941 the improvements on all these lands, (1,440 acres,) \$2,760.63, but  
 42942 of the sixteen thousand five hundred dollars paid under V arti-  
 42943 cle of treaty of 1848 he received \$3,083, while, under a proper  
 42944 per capita apportionment, the share of his family would not  
 42945 have been much more than about three hundred dollars. The  
 42946 interest of the \$16,500, to be paid "as other annuities are paid  
 42947 by the United States," has been apportioned in direct violation  
 42948 of the said treaty until the Stockbridge affairs came under my  
 42949 superintendence, in the same manner as the \$16,500 under arti-  
 42950 cle 5 had been paid; and for the benefit of Sam'l Miller, even that  
 42951 illegal apportionment was falsified so as to pay him one-half of  
 42952 \$1,662.50, and the interest on the other half instead of \$412.50,  
 42953 the proportion to which he would have been entitled by the  
 42954 quantity of land held by him at the treaty of 1848. Austin E.  
 42955 Quinney realized about a thousand dollars more by selling his  
 42956 pretended right of occupancy to lots, so that it appears that he  
 42957 has received about seven thousand dollars in addition to what  
 42958 he has received of the money paid to his tribe by the State of  
 42959 New York, and it is no doubt mortifying to him that his share  
 42960 of moneys hereafter is to be no larger than that of any other  
 42961 member of the tribe. A great part of the funds received from  
 42962 the State of New York has been used by the Quinney family for  
 42963 their own aggrandizement and the sending of delegations to  
 42964 Washington; and the wishes of a majority of the Stockbridges  
 42965 in relation to the application of those funds have been fre-  
 42966 quently disregarded, and at the present time Sam'l Miller has been  
 42967 sent by Austin E. Quinney as delegate to Washington with a  
 42968 part of those funds, in direct opposition to the wishes of the  
 42969 majority.

42970 I proposed to Austin E. Quinney and his followers to patent  
 42971 to them lands at Stockbridge, and to make other stipulations  
 42972 favorable to them, if they preferred to remain there and to  
 42973 separate from the tribe; but as they would not declare their  
 42974 willingness to accept of such provisions, and as Quinney declared  
 42975 that he would probably desire to remove with the others if the  
 42976 lands to be selected were of good quality, and deeming it more  
 42977 beneficial to them that they should remove with the others and  
 42978 be settled by themselves, if they preferred it, in some corner of  
 42979 the new reservation, I did not feel prompted to provide for their  
 42980 remaining at Stockbridge, and increased the sums to be paid in  
 42981 proportion to their number.

42982 I had made no secret, since my visit to Stockbridge during  
 42983 the fore part of December last, of the arrangement contemplated

42984 in relation to lands and land-titles at Stockbridge, (articles 13  
42985 and 14,) and it appeared generally satisfactory to white set-  
42986 tlers; yet there will be always found meddlesome individuals,  
42987 and it appears that, at the request of a resident of Stock-  
42988 bridge, who, however, has no land himself, a lawyer of Green  
42989 Bay had drawn up a petition or memorial asking the treaty to  
42990 be amended.

42991 When I saw the document no names were attached to it,  
42992 and I have not inquired afterwards if it has been signed by  
42993 anybody and forwarded. I read it very hastily, but it left the  
42994 impression upon my mind that little legal knowledge was dis-  
42995 played by its author. Since the authority to issue patents given  
42996 by the law of 1843 was destroyed by the repealing act of 1846,  
42997 and the list of patents to lots to be granted under the treaty of  
42998 1848 is imperfect and incorrect, the settlers at Stockbridge, if  
42999 they understand it, will be the last to object to authority being  
43000 granted to the proper officer to issue patents; and the investiga-  
43001 tion of sales made by Indians provided for, I think, will not be  
43002 seriously objected to, except by such who are afraid that the  
43003 consideration paid by them would be found to have consisted of  
43004 whiskey.

43005 The minimum price fixed in the treaty for the land to be  
43006 sold by the United States Government is not too high nor unjust  
43007 to any class of the settlers at Stockbridge. Those who settled  
43008 there shortly after the treaty of 1848, and bought out, for a  
43009 small consideration, the right of occupancy of Indians to their  
43010 houses, clearings, and fields, have since mostly confined them-  
43011 selves to cultivating the fields already made, and raised fine  
43012 crops, without paying any taxes or bearing any of the hardships  
43013 of a new settlement. It has not been so much by their labor  
43014 that these lands have become valuable as by the settlements  
43015 and improvements made in the surrounding country and the  
43016 general prosperity of the State. The settlers who have recently  
43017 squatted on lots of land at Stockbridge have gone there with  
43018 the perfect knowledge of the price which was expected to be  
43019 fixed on those lands, and since it has become known that the  
43020 treaty was signed, that part of the State has been under great  
43021 excitement, and many have flocked to Stockbridge to make  
43022 claims and to avail themselves of the privileges contemplated to  
43023 be extended to actual settlers by the treaty. It is feared that  
43024 there are even more settlers and claimants than lots of land,  
43025 and if the price should be reduced the excitement would, no  
43026 doubt, become more intense, and the land-officers would find it  
43027 more difficult to settle the conflicting claims. The privilege of  
43028 entering lands at the terms of payment as prescribed for actual  
43029 settlers in article 14, granted to a number of Indians by article  
43030 16, was considered by all as very valuable, which seems to

43031 prove beyond a doubt that the price is considered very moderate.  
 43032 If the petition above referred to has been signed generally by  
 43033 the settlers at Stockbridge, they have done so in consequence of  
 43034 its being represented to them that it could do no harm to try to  
 43035 get the lands from the Government at a less price, and not  
 43036 because the price is too high or unjust to any one of them. A  
 43037 power of attorney of the Munsees of New York to their dele-  
 43038 gate is herewith enclosed.

43039 Very respectfully, your obedient servant,  
 43040 FRANCIS HUEBSCHMANN,  
 43041 *Superintendent.*

43042 Hon. GEORGE W. MANYPENNY,  
 43043 *Commissioner of Indian Affairs, Washington, D. C.*

43044 Know all men that by these presents we make, constitute, and  
 43045 appoint Isaac Durkee, William Mohawk, and Joshua Wilson, or  
 43046 either two of them in the absence of the other, to receive from  
 43047 the commissioner of the United States the share of us, and each  
 43048 of us, and our families, in money, which, in consideration of  
 43049 annuities due us from the United States, or by virtue and effect  
 43050 of a treaty which it is understood is about to be made between  
 43051 the United States and the Stockbridge and Munsee tribes of  
 43052 Indians, we are informed will be our due, and will be paid to us  
 43053 by the said commissioner, or by the superintendent of Indian  
 43054 affairs for Wisconsin. And we hereby authorize our attorneys  
 43055 as aforesaid to give receipts and vouchers to the said commis-  
 43056 sioner or superintendent, as may be right, or he may require;  
 43057 our intention being that our said attorneys shall transmit to us,  
 43058 in the State of New York, said moneys, to enable us immediately  
 43059 to remove to, improve, and subsist in our new homes in the State  
 43060 of Wisconsin; hereby ratifying the acts of our attorneys in the  
 43061 premises.

43062 In witness whereof, we have hereunto set our hands and  
 43063 seals, this —— day of January, A. D. 1856.

43064 ISAAC DURKEE.

43065 WILLIAM MOHAWK.

43066 TITUS MOHAWK, his x mark.

43067 AUSTIN HALF WHITE, his x mark.

43068 CLARISSA SPRAGG, her x mark.

43069 GEORGE MOSES, his x mark.

43070 JONATHAN WATERMAN, his x mark.

43071 JONATHAN TITUS, his x mark.

43072 LEVY HALF TOWN, his x mark.

43073 JEFFERSON HALF TOWN, his x mark.

43074 In presence of—

43075 SAM'L W. BEALL,

43076 JOHN ARMSTRONG.

43077 STATE OF NEW YORK, }  
 43078 Cattaraugus County, } ss.

43079 On this 19th day of January, A. D. 1856, came before me  
 43080 Isaac Durkee, William Mohawk, Titus Mohawk, Austin Half  
 43081 White, Clarissa Spragg, George Moses, Jonathan Watersnake,  
 43082 Jonathan Titus, Levy Half Town, Jefferson Half Town, proven  
 43083 to me by the oath of George Jamison, to me well known, to be  
 43084 the individuals who signed and executed the within instrument  
 43085 of attorney, and acknowledged that they executed it freely.

43086 GEORGE JAMISON, his x mark.

43087 Sworn and subscribed before me, this 19th day of Jan-  
 43088 uary, 1856.

43089 ELISHA BROWN,  
 43090 Justice of the Peace.

43091 Proclaimed September 8, 1856.

43092 TEETONS.

43093 *A treaty of peace and friendship made and concluded between Will-*  
 43094 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 43095 *sioners plenipotentiary of the United States of America, on the*  
 43096 *part and behalf of the said States, of the one part, and the*  
 43097 *undersigned chiefs and warriors of the Teeton tribe of Indians,*  
 43098 *on the part and behalf of their said tribe, of the other part.*

43099 The parties being desirous of re-establishing peace and  
 43100 friendship between the United States and the said tribe, and  
 43101 of being placed in all things and in every respect on the  
 43102 same footing upon which they stood before the late war be-  
 43103 tween the United States and Great Britain, have agreed to the  
 43104 following articles :

43105 ARTICLE 1. Every injury or act of hostility committed by  
 43106 one or either of the contracting parties against the other shall  
 43107 be mutually forgiven and forgot.

43108 ARTICLE 2. There shall be perpetual peace and friendship  
 43109 between all the citizens of the United States of America and all  
 43110 the individuals composing the said Teeton tribe ; and the friendly  
 43111 relations that existed between them before the war shall be, and  
 43112 the same are hereby, renewed.

43113 ARTICLE 3. The undersigned chiefs and warriors, for them-  
 43114 selves and their said tribe, do hereby acknowledge themselves  
 43115 and their aforesaid tribe to be under the protection of the United  
 43116 States of America, and of no other nation, power, or sovereign  
 43117 whatsoever.

43118 Ratified December 26, 1815.

43119

## UTAHS.

43120 *Treaty between the United States of America and the Utah Indians.*

43121       The following articles have been duly considered and sol-  
43122 emnly adopted by the undersigned, that is to say, James S.  
43123 Calhoun, Indian agent, residing at Santa Fé, acting as commis-  
43124 sioner on the part of the United States of America, and Quixia-  
43125 chigate, Nanito Nincocunachi, Abaganixe, Ramahi, Subleta,  
43126 Rupallachi, Saguasoxego, Pagnisachi, Cobaxanor, Amuche,  
43127 Puigniachi, Panachi, Sichuga, Uvicaxinape, Cuchuticay, Nachi-  
43128 tope, Pueguate, Guano Juas, Pacachi, Saguanchi, Acaguete  
43129 nochi, Puibuquiacte, Quixache tuate, Saxiabe, Pichiute Nochi-  
43130 chigue, Uvive, principal and subordinate chiefs, representing the  
43131 Utah tribe of Indians.

43132       I. The Utah tribe of Indians do hereby acknowledge and  
43133 declare they are lawfully and exclusively under the jurisdiction  
43134 of the Government of said States, and to its power and author-  
43135 ity they now unconditionally submit.

43136       II. From and after the signing of this treaty, hostilities be-  
43137 tween the contracting parties shall cease, and perpetual peace  
43138 and amity shall exist, the said tribe hereby binding themselves  
43139 most solemnly never to associate with or give countenance or  
43140 aid to any tribe or band of Indians, or other persons or powers,  
43141 who may be at any time at enmity with the people or Govern-  
43142 ment of said States, and that they will, in all future time, treat  
43143 honestly and humanely every citizen of the United States, and  
43144 all persons and powers at peace with the said States; and all  
43145 cases of aggression against the said Utahs shall be referred to  
43146 the aforesaid Government for adjustment and settlement.

43147       III. All American and Mexican captives and others taken  
43148 from persons or powers at peace with the said States shall be  
43149 restored and delivered by said Utahs to an authorized officer or  
43150 agent of said States, at Abiquin, on or before the first day of  
43151 March, in the year of our Lord one thousand eight hundred and  
43152 fifty; and in like manner all stolen property of every descrip-  
43153 tion shall be restored by or before the aforesaid first day of  
43154 March, 1850. In the event such stolen property shall have been  
43155 consumed or destroyed, the said Utah Indians do agree and are  
43156 hereby bound to make such restitution and under such circum-  
43157 stances as the Government of the United States may order and  
43158 prescribe; but this article is not to be so construed or under-  
43159 stood as to create a claim against said States for any losses or  
43160 depredations committed by said Utahs.

43161       IV. The contracting parties agree that the laws now in

43162 force, and such others as may be passed, regulating the trade  
 43163 and intercourse, and for the preservation of peace with the va-  
 43164 rious tribes of Indians under the protection and guardianship of  
 43165 the Government of the United States, shall be as binding and  
 43166 obligatory upon the said Utahs as if said laws had been enacted  
 43167 for their sole benefit and protection; and that said laws may be  
 43168 duly executed, and for all other useful purposes, the territory oc-  
 43169 cupied by the Utahs is hereby annexed to New Mexico as now  
 43170 organized or as it may be organized or until the Government of  
 43171 the United States shall otherwise order.

43172 V. The people of the United States, and all others in amity  
 43173 with the United States, shall have free passage through the Ter-  
 43174 ritory of Utah, under such rules and regulations as may be  
 43175 adopted by authority of said States.

43176 VI. In order to preserve tranquility and to afford protec-  
 43177 tion to all the people and interests of the contracting parties, the  
 43178 Government of the United States will establish such military  
 43179 posts and agencies, and authorize such trading-houses, at such  
 43180 time and in such places as the said Government may designate.

43181 VII. Relying confidently upon the justice and liberality of  
 43182 the United States, and anxious to remove every possible cause  
 43183 that might disturb their peace and quiet, it is agreed by the Utahs  
 43184 that the aforesaid Government shall, at its earliest convenience,  
 43185 designate, settle, and adjust their territorial boundaries, and  
 43186 pass and execute such laws in their Territory as the Govern-  
 43187 ment of said States may deem conducive to the happiness and  
 43188 prosperity of said Indians. And the said Utahs further bind  
 43189 themselves not to depart from their accustomed homes or locali-  
 43190 ties unless specially permitted by an agent of the aforesaid  
 43191 Government; and so soon as their boundaries are distinctly de-  
 43192 fined the said Utahs are further bound to confine themselves to  
 43193 said limits, under such rules as the said Government may pre-  
 43194 scribe, and to build up pueblos, or to settle in such other manner  
 43195 as will enable them most successfully to cultivate the soil,  
 43196 and pursue such other industrial pursuits as will best promote  
 43197 their happiness and prosperity; and they now deliberately and  
 43198 considerably pledge their existence as a distinct tribe to ab-  
 43199 stain, for all time to come, from all depredations; to cease the  
 43200 roving and rambling habits which have hitherto marked them  
 43201 as a people; to confine themselves strictly to the limits which  
 43202 may be assigned them; and to support themselves by their own  
 43203 industry, aided and directed as it may be by the wisdom, jus-  
 43204 tice, and humanity of the American people.

43205 VIII. For and in consideration of the faithful performance  
 43206 of all the stipulations contained in this treaty by the said Utahs,  
 43207 the Government of the United States will grant to said Indians

43208 such donations, presents, and implements, and adopt such other  
 43209 liberal and humane measures as said Government may deem  
 43210 meet and proper.

43211 IX. This treaty shall be binding upon the contracting par-  
 43212 ties from and after the signing of the same, subject, in the first  
 43213 place, to the approval of the civil and military governor of New  
 43214 Mexico, and to such other modifications, amendments, and orders  
 43215 as may be adopted by the Government of the United States.

43216 Proclaimed September 9, 1850.

43217 UTAHS—TABEGUACHE BAND.

43218 *Treaty between the United States of America and the Tabeguache*  
 43219 *band of Utah Indians, concluded October 7, 1863; ratifica-*  
 43220 *tion advised, with amendments by the Senate, March 25, 1864;*  
 43221 *amendments assented to October 8, 1864.*

43222 ABRAHAM LINCOLN, President of the United States of America,  
 43223 to all and singular to whom these presents shall come,  
 43224 greeting:

43225 Whereas a treaty was made and concluded at the Tabe-  
 43226 guache agency, at Conejos, Colorado Territory, on the seventh  
 43227 day of October, in the year of Lord one thousand eight  
 43228 hundred and sixty-three, by and between John Evans, Michael  
 43229 Steck, Simeon Whiteley, and Lafayette Head, commissioners on  
 43230 the part of the United States, and the hereinafter-named chiefs  
 43231 and warriors of the Tabeguache band of Utah Indians, on the  
 43232 part of said band of Indians, and duly authorized thereto by  
 43233 them, which treaty is in the words and figures following, to  
 43234 wit:

43235 Whereas the Tabeguache band of Utah Indians claim as  
 43236 against all other Indians an exclusive right to the following-  
 43237 described country as their lands and hunting grounds within  
 43238 the territory of the United States of America, being bounded  
 43239 and described as follows, to wit:

43240 "Beginning on the 37th degree of north latitude, at the  
 43241 eastern base of the Sierra Madre Mountain; running thence  
 43242 northerly with the base of the Rocky Mountains to the forty-  
 43243 first parallel of north latitude; thence west with the line of  
 43244 said forty-first parallel of north latitude to its intersection with  
 43245 the summit of the Snowy range, northwest of the North Park;  
 43246 thence with the summit of the Snowy range southerly to the  
 43247 Rabbit-Ear Mountains; thence southerly with the summit of  
 43248 said Rabbit-Ear range of mountains, west of the Middle Park,  
 43249 to the Grand River; thence with the said Grand River to its

confluence with the Gunnison River; thence with the said Gunnison River to the mouth of the Uncompahgre River; thence with the said Uncompahgre River to its source in the summit of the Snowy range, opposite the source of the Rio Grande del Norte; thence in a right line south to the summit of the Sierra La Plata range of mountains, dividing the waters of the San Juan River from those of the Rio Grande del Norte; thence with the summit of said range southeasterly to the thirty-seventh parallel of north latitude; thence with the line of said parallel of latitude to the place of beginning:"

The President of the United States of America, by John Evans, governor of Colorado Territory, and *ex-officio* superintendent of Indian affairs for the same, Michael Steck, superintendent of Indian affairs for the Territory of New Mexico, Simeon Whiteley and Lafayette Head, Indian agents, duly authorized and appointed as commissioners for the purpose, of the one part, and the undersigned chiefs and warriors of the Tabeguache band of Utah Indians, of the other part, have made and entered into the following treaty, which, when ratified by the President of the United States, by and with the advice and consent of the Senate, shall be binding on both parties, to wit:

ARTICLE 1. It is admitted by the Tabeguache band of Utah Indians that they reside within the territorial limits of the United States, acknowledging their supremacy, and claim their protection. The said band also admits the right of the United States to regulate all trade and intercourse with them.

ARTICLE 2. Said Tabeguache band of Utah Indians hereby cede, convey, and relinquish all of their claims, right, title, and interest in and to any and all lands within the territory of the United States, wherever situated, excepting that which is included within the following boundaries, which are hereby reserved as their hunting-grounds, viz:

Beginning at the mouth of the Uncompahgre River, thence down Gunnison River to its confluence with the Bunkara River, thence up the Bunkara River to the Roaring Fork of the same, thence up the Roaring Fork to its source, thence along the summit of the range dividing the waters of the Arkansas from those of the Gunnison River to its intersection with the range dividing the waters of the San Luis Valley from those of the Gunnison's Fork of the Great Colorado River, thence along the summit of said range to the source of the Uncompahgre River, thence from said source and down the main channel of said Uncompahgre River to its mouth, the place of beginning. *Nothing contained in this treaty shall be construed or taken to admit on the part of the United States any other or greater title or interest in the lands above excepted and reserved in said tribe or band of Indians than existed*

43296 *in them upon the acquisition of said Territory from Mexico by the*  
 43297 *laws thereof.*

43298 ARTICLE 3. And it is further agreed that the United States  
 43299 shall have the right to establish one or more military posts, with  
 43300 their needful reservations, upon the lands and hunting-grounds  
 43301 not ceded by the Tabeguache band in this treaty; also the right  
 43302 to locate, construct, and maintain railroads and other roads  
 43303 and highways, through the same, and along the routes of United  
 43304 States mail-lines, at suitable points, to establish and maintain  
 43305 stations.

43306 Any citizen of the United States may mine, without inter-  
 43307 ference or molestation, in any part of the country hereby re-  
 43308 served to said Indians where gold or other metals or minerals  
 43309 may be found.

43310 ARTICLE 4. And the said Tabeguache band hereby gives  
 43311 its consent that the Mohuache band of Utah Indians may also  
 43312 be settled with them upon the lands and hunting-grounds re-  
 43313 served in this treaty.

43314 ARTICLE 5. And the said Tabeguache band further agrees  
 43315 to give safe-conduct to all persons who may be legally authorized  
 43316 by the United States to pass through their reservation, and to  
 43317 protect, in their persons and property, all agents or other per-  
 43318 sons sent by the United States to reside temporarily among  
 43319 them.

43320 ARTICLE 6. That the friendship which ~~now~~ established  
 43321 between the United States and the Tabeguache band of Utah  
 43322 Indians should not be interrupted by the misconduct of indivi-  
 43323 duals, it is hereby agreed that for injuries done no private  
 43324 revenge or retaliation shall take place, but, instead thereof,  
 43325 complaint shall be made by the party injured to the superin-  
 43326 tendent or agent of Indian affairs, or other person appointed by  
 43327 the President. And it shall be the duty of the chiefs of said  
 43328 Tabeguache band, upon complaint being made as aforesaid, to  
 43329 deliver up the person or persons against whom the complaint is  
 43330 made, to the end that he or they may be punished agreeably to  
 43331 the laws of the United States. And in like manner, if any rob-  
 43332 bery, violence, or murder shall be committed on any Indian or  
 43333 Indians belonging to said band, the person or persons so offend-  
 43334 ing shall be tried, and, if found guilty, shall be punished in like  
 43335 manner as if the injury had been done to a white man. And it  
 43336 is agreed that the chiefs of said Tabeguache band shall, to the  
 43337 utmost of their power, exert themselves to recover horses or  
 43338 other property which may be stolen or taken from any citizen  
 43339 or citizens or white residents of the United States by any in-  
 43340 dividual or individuals of said band; and the property so recov-  
 43341 ered shall be forthwith delivered to the agents or other persons

authorized to receive it, that it may be restored to the proper owner. And for such property as any Indian or Indians belonging to said band may have taken from citizens or white residents of the United States which cannot be restored, payment shall be reserved from the annuities which the said band is to receive, upon sufficient proof of the fact. And the United States hereby guarantee to any Indian or Indians of said band a full indemnification for any horses or other property which may be stolen from them by any of their citizens or white residents: *Provided*, That the property so stolen cannot be recovered, and that sufficient proof is produced that it was actually stolen by a citizen or white resident of the United States. And the said Tabe-guache band engages, on the requisition or demand of the President of the United States, or of the agents, to deliver up any white man resident among them.

ARTICLE 7. And the chiefs and warriors as aforesaid promise and engage their band will never, by sale, exchange, or as presents, supply any nation or tribe of Indians not in amity with the United States with guns, ammunition, or other implements of war.

ARTICLE 8. For the period of ten years the said band shall receive annually, by such distribution as the Secretary of the Interior may direct, ten thousand dollars' worth of goods, and also ten thousand dollars' worth of provisions.

ARTICLE 9. For the purpose of improving their breed of horses, the band shall receive five American stallions the first year after the ratification of this treaty.

ARTICLE 10. That in case the chiefs of said band shall announce to the agent a willingness and determination on their part, and on the part of their people, to begin and follow agricultural or pastoral pursuits by farming or raising stock, and growing wool upon such lands to be selected and set apart within said reservation, and according to such regulations as the Secretary of the Interior may prescribe, they shall receive the following donations of stock to aid them in their endeavor to gain a livelihood by such new pursuits, viz:

Of cattle, not exceeding one hundred and fifty head annually during five years, beginning with the ratification of this treaty.

Of sheep, not exceeding one thousand head annually during the first two years after the ratification of this treaty, and five hundred head annually during the three years thereafter.

The Secretary of the Interior may also direct that their share of annuity goods and provisions shall be of a character suited to such change of life: *Provided, however*, That such stock shall only be donated as long as such chiefs shall, in good

43388 faith, keep and use the same for the purpose indicated in this  
 43389 article, and provided that the amount expended under this arti-  
 43390 cle shall not exceed ten thousand dollars annually.

43391 All the Indians of said band who may adopt and conform  
 43392 to the provisions of this article shall be protected in the quiet  
 43393 and peaceable possession of their said lands and property.

43394 The Government also agrees to establish and maintain a  
 43395 blacksmith-shop, and employ a competent blacksmith for the  
 43396 purpose of repairing the guns and agricultural implements  
 43397 which may be used by said band of Indians.

43398 Proclaimed December 14, 1864.

#### 43399 UMPQUAS—COW CREEK BAND.

43400 FRANKLIN PIERCE, President of the United States of  
 43401 America, to all and singular to whom these presents shall come  
 43402 greeting:

43403 Whereas a treaty was made and concluded on the nine-  
 43404 tenth day of September, eighteen hundred and fifty-three, on  
 43405 Crow Creek, Umpqua Valley, in the Territory of Oregon, by and  
 43406 between Joel Palmer, superintendent of Indian affairs, on the  
 43407 part of the United States, and Quin-ti-oo-san, or Bighead,  
 43408 principal chief, and My-n-e-letta, or Jackson, and Tom, son of  
 43409 Quin-ti-oo-san, subordinate chiefs, on the part of the Cow Creek  
 43410 band of Umpqua tribe of Indians, thereto duly authorized by  
 43411 said tribe, which treaty is in the words and figures following, to  
 43412 wit:

43413 Stipulations of a treaty made and entered into on Cow Creek,  
 43414 Umpqua Valley, in the Territory of Oregon, this 19th day  
 43415 of September, A. D. 1853, by and between Joel Palmer,  
 43416 superintendent of Indian affairs, on the part of the United  
 43417 States, and Quin-ti-oo-san, or Bighead, principal chief, and  
 43418 My-n-e-letta, or Jackson, and Tom, son of Quin-ti-oo-san,  
 43419 subordinate chiefs, on the part of the Cow Creek band of  
 43420 Umpqua tribe of Indians.

43421 ARTICLE 1. The Cow Creek band of Indians do hereby  
 43422 cede and relinquish, for the consideration hereinafter specified,  
 43423 to the United States, all their right, title, interest, and claim to  
 43424 all the lands lying in that part of the Territory of Oregon  
 43425 bounded by lines designated as follows, to wit:

43426 Commencing on the north bank of the south fork of  
 43427 Umpqua River, at the termination of the high-lands dividing the  
 43428 waters of Myrtle Creek from those of Day's Creek; thence  
 43429 running easterly along the summit of said range to the head-  
 43430 waters of Day's Creek; thence southerly, crossing the Umpqua

43431 River to the headwaters of Cow Creek ; thence to the dividing  
 43432 ridge between Cow Creek and Grave Creek ; thence southwest-  
 43433 erly along the said divide to its junction with the ridge dividing  
 43434 the waters of Cow Creek from those of Rogue River ; thence  
 43435 westerly and northerly around on said ridge to its connection  
 43436 with the spur terminating opposite the mouth of Myrtle Creek ;  
 43437 thence along said spur to a point on the same northwest of the  
 43438 eastern line of Isaac Baily's land-claim ; thence southeast to  
 43439 Umpqua River ; thence up said river to place of beginning.

43440 ARTICLE 2. It is agreed on the part of the United States  
 43441 that the aforesaid tribe shall be allowed to occupy, temporarily,  
 43442 that portion of the above-described tract of territory bounded  
 43443 as follows, to wit: Commencing on the south side of Cow Creek,  
 43444 at the mouth of Council Creek, opposite Wm. H. Riddle's land-  
 43445 claim, thence up said creek to the summit of Cañon Mountain,  
 43446 thence westerly along said summit two miles, thence northerly  
 43447 to Cow Creek, at a point on the same one mile above the falls ;  
 43448 thence down said creek to place of beginning. It being under-  
 43449 stood that this last-described tract of land shall be deemed and con-  
 43450 sidered an Indian reserve until a suitable selection shall be  
 43451 made by the direction of the President of the United States for  
 43452 their permanent residence, and buildings erected thereon and  
 43453 other improvements made of equal value of those upon the  
 43454 above reserve at the time of removal.

43455 ARTICLE 3. For and in consideration of the cession and re-  
 43456 linquishment contained in article first, the United States agree  
 43457 to pay to the aforesaid band of Indians the sum of twelve thou-  
 43458 sand dollars, in manner to wit: one thousand dollars to be ex-  
 43459 pended in the purchase of twenty blankets, eighteen pairs pants,  
 43460 eighteen pairs shoes, eighteen hickory shirts, eighteen hats or  
 43461 caps, three coats, three vests, three pairs socks, three neckhand-  
 43462 kerchiefs, forty cotton flags, one hundred and twenty yards  
 43463 prints, one hundred yards domestic, one gross buttons, two lbs.  
 43464 thread, ten papers needles, and such other goods and provisions  
 43465 as may be deemed by the superintendent or agent most condu-  
 43466 cive to the comfort and necessities of said Indians, on or before  
 43467 the first day of October, A. D. 1854. The remaining eleven  
 43468 thousand dollars to be paid in twenty equal annual instalments  
 43469 of five hundred and fifty dollars each, commencing on or about  
 43470 the first day of October, 1854, in blankets, clothing, provisions,  
 43471 stock, farming-implements, or such other articles and in such  
 43472 manner as the President of the United States may deem best  
 43473 for the interests of said tribe.

43474 ARTICLE 4. In addition to the aforesaid twelve thousand  
 43475 dollars there shall be erected for the use of said tribe, at the  
 43476 expense of the United States, two dwelling-houses, the cost of

43477 which shall not exceed two hundred dollars each, and a field of  
 43478 five acres fenced and ploughed, and suitable seed furnished for  
 43479 planting the same.

43480 ARTICLE 5. The said band of Indians agree to give safe  
 43481 conduct to all persons passing through their reserve, and to pro-  
 43482 tect in their person and property all agents or other persons sent  
 43483 by authority of the United States to reside among them.

43484 ARTICLE 6. That the friendship which is now established  
 43485 between the United States and the Cow Creek band of Indians  
 43486 shall not be interrupted by the misconduct of individuals, it is  
 43487 hereby agreed that, for injuries done, no private revenge or re-  
 43488 taliation shall take place; but instead thereof complaint shall be  
 43489 made by the party injured to the Indian agent; and it shall be  
 43490 the duty of the chiefs of said band of Indians, upon complaint  
 43491 being made as aforesaid, to deliver up the person against whom  
 43492 the complaint is made, to the end that he may be punished agree-  
 43493 ably to the laws of the United States; and in like manner if any  
 43494 violation, robbery, or murder shall be committed on any Indian  
 43495 belonging to said band, the person so offending shall be tried,  
 43496 and, if found guilty, shall be punished according to the laws of  
 43497 the United States. And it is further agreed that the chiefs  
 43498 shall, to the utmost of their ability, exert themselves to recover  
 43499 horses or other property which has or may hereafter be stolen  
 43500 from any citizen of the United States by any individual of said  
 43501 tribe, and deliver the same to the agent or other person author-  
 43502 ized to receive it; and the United States hereby guarantee to  
 43503 any Indian or Indians of said band a full indemnification for any  
 43504 horses or other property which may be stolen or taken from  
 43505 them by any citizen of the United States, provided the property  
 43506 stolen cannot be recovered, and that sufficient proof is produced  
 43507 that it was actually stolen or taken by a citizen of the U. S.  
 43508 And the chiefs further agree that upon the requisition of the  
 43509 President of the U. S., superintendent of Indian affairs, or In-  
 43510 dian agent, to deliver up any person resident among them.

43511 ARTICLE 7. It is agreed between the United States and  
 43512 the Cow Creek band of the Umpqua tribe of Indians that,  
 43513 should it at any time hereafter be considered by the United  
 43514 States as a proper policy to establish farms among and for the  
 43515 benefit of said Indians, it shall be discretionary with the Pres-  
 43516 ident, by and with the advice and consent of the Senate, to  
 43517 change the annuities herein provided for, or any part thereof,  
 43518 into a fund for that purpose.

43519 ARTICLE 8. This treaty shall take effect and be obliga-  
 43520 tory on the contracting parties as soon as the same shall be  
 43521 ratified by the President of the United States, by and with the  
 43522 advice and consent of the Senate.

43523 Proclaimed February 5, 1855.

UMPQUAS AND CALAPOOIAS.

43524

43525 FRANKLIN PIERCE, President of the United States of America,  
43526 to all and singular to whom these presents shall come,  
43527 greeting:

43528 Whereas a treaty was made and concluded at Calapooia Creek,  
43529 Douglas County, Oregon Territory, on the twenty-ninth day of  
43530 November, one thousand eight hundred and fifty-four, by Joel  
43531 Palmer, superintendent of Indian affairs, on the part of the  
43532 United States, and the following-named chiefs and heads of  
43533 confederated bands of the Umpqua tribe of Indians and of the  
43534 Calapooias residing in Umpqua Valley, to wit: Napesa, or Louis,  
43535 head chief; Peter, or Injice; Tas-yah, or General Jackson;  
43536 Bogus; Nessick; Et-na-ma, or William; Cheen-len-ten, or George;  
43537 Nas-yah, or John; Absaquil, or Chenook; Jo, and Tom; they  
43538 being assembled in council with their respective bands, which  
43539 treaty is in the words following, to wit:

43540 Articles of agreement and convention made and concluded at  
43541 Calapooia Creek, Douglas County, Oregon Territory, this  
43542 twenty-ninth day of November, one thousand eight hundred  
43543 and fifty-four, by Joel Palmer, superintendent of Indian  
43544 affairs, on the part of the United States, and the following-  
43545 named chiefs and heads of the confederated bands of the  
43546 Umpqua tribe of Indians, and of the Calapooias residing in  
43547 Umpqua Valley, to wit: Napesa, or Louis, head chief; Peter,  
43548 or Injice; Tas-yah, or General Jackson; Bogus; Nessick;  
43549 Et-na-ma, or William; Cheen-len-ten, or George; Nas-yah,  
43550 or John; Absaquil, or Chenook; Jo, and Tom; they being  
43551 assembled in council, with their respective bands.

43552 ARTICLE 1. The confederated bands of Umpqua and Cala-  
43553 pooia Indians cede to the United States all their country included  
43554 within the following limits, to wit: Commencing at the northwest  
43555 corner of the country purchased of the Galeese Creek and Illinois  
43556 River Indians on the 18th day of November, 1854, and running  
43557 thence east to the boundary of the Cow Creek purchase; thence  
43558 northerly along said boundary to its northeastern extremity;  
43559 thence east to the main ridge of the Cascade Mountains; thence  
43560 northerly to the main falls of the North Umpqua River; thence  
43561 to Scott's Peak, bearing easterly from the head-waters of Cala-  
43562 pooia Creek; thence northerly to the connection of the Calapooia  
43563 Mountains with the Cascade range; thence westerly along the  
43564 summit of the Calapooia Mountains to a point whence a due  
43565 south line would cross Umpqua River at the head of tide-water;  
43566 thence on that line to the dividing ridge between the waters of  
43567 Umpqua and Coose Rivers; thence along that ridge, and the

43568 divide between Coquille and Umpqua Rivers, to the western  
 43569 boundary of the country purchased of the Galeese Creek Indians,  
 43570 or of the Cow Creek Indians, as the case may be, and thence to  
 43571 the place of beginning; *Provided, however,* That so much of the  
 43572 lands as are embraced within the following limits shall be held  
 43573 by said confederated bands, and such other bands as may be  
 43574 designated to reside thereupon, as an Indian reservation, to  
 43575 wit: Commencing at a point three miles due south of the mouth  
 43576 of a small creek emptying into the Umpqua River, near the  
 43577 western boundary of John Churchell's land-claim, at the lower  
 43578 end of Cole's Valley; thence north to the middle of the channel  
 43579 of Umpqua River; thence up said river to a point due south of  
 43580 the highest peak of the ridge, immediately west of Allan Hub-  
 43581 bard's land-claim; thence to said peak; thence along the summit  
 43582 of the ridge dividing the waters to its termination at or near  
 43583 the mouth of Little Canyon Creek; thence, crossing the Umpqua  
 43584 River in a westerly direction, to the high-lands opposite the  
 43585 mouth of said creek; thence following the divide until it reaches  
 43586 a point whence a line drawn to the place of beginning will run  
 43587 three miles south of the extreme southern bend in the Umpqua  
 43588 River between these two points; and thence to the place of  
 43589 beginning. And should the President at any time believe it  
 43590 demanded by the public good and promotive of the best interests  
 43591 of said Indians to be located elsewhere, the said Indians agree  
 43592 peaceably, and without additional expense to the Government  
 43593 of the United States, to remove to such reserve as may be  
 43594 selected; provided that a delegation of three or more of the  
 43595 principal men of said bands selected by them shall concur with  
 43596 the authorized agent or agents of the United States in the selec-  
 43597 tion of said new reserve. And when said removal shall take  
 43598 place, the particular tracts then occupied by said Indians, on the  
 43599 reserve herein described, according to the provisions of this  
 43600 treaty, and those occupied by Indians of other bands that may  
 43601 be located thereon, shall be sold by order of the President of the  
 43602 United States, and the proceeds of such sales expended in per-  
 43603 manent improvements on the new reserve, for the use and bene-  
 43604 fit of the holders of said tracts respectively.

43605 ARTICLE 2. The confederated bands agree that as soon  
 43606 after the United States shall make the necessary provision for  
 43607 fulfilling the stipulations of this treaty as they conveniently can,  
 43608 and not to exceed one year after such provision is made, they  
 43609 will vacate the ceded territory and remove to the lands herein  
 43610 reserved for them.

43611 ARTICLE 3. In consideration of and payment for the coun-  
 43612 try herein ceded, the United States agree to pay the said con-  
 43613 federated bands the several sums of money following, to wit:

43614 First, three thousand dollars per annum for the term of five  
 43615 years, commencing on the first day of September, 1855. Second,  
 43616 two thousand three hundred dollars per annum for the term of  
 43617 five years next succeeding the first five. Third, one thousand  
 43618 seven hundred dollars per annum for the term of five years next  
 43619 succeeding the second five years. Fourth, one thousand dollars  
 43620 per annum for the term of five years next succeeding the third five  
 43621 years. All of which several sums of money shall be expended for  
 43622 the use and benefit of the confederated bands, under the direc-  
 43623 tion of the President of the United States, who may from time  
 43624 to time, at his discretion, determine what proportion shall be  
 43625 expended for such beneficial objects as in his judgment will be  
 43626 calculated to advance them in civilization; for their moral im-  
 43627 provement and education; for buildings, opening farms, fenc-  
 43628 ing, breaking land, providing stock, agricultural implements,  
 43629 seeds, &c.; for clothing, provisions, and merchandise; for iron,  
 43630 steel, arms, and ammunition; for mechanics and tools, and for  
 43631 medical purposes.

43632 ARTICLE 4. In order to enable the said Indians to remove  
 43633 to their new home, and subsist themselves for one year there-  
 43634 after, (and which they agree to do without further expense to  
 43635 the United States,) and to provide for the breaking up and  
 43636 fencing of fifty acres of land, and the erection of buildings on  
 43637 the reserve, the purchase of teams, farming-utensils, tools, &c.,  
 43638 and for other purposes necessary to their comfort and subsist-  
 43639 ence, they shall receive from the United States the further sum  
 43640 of ten thousand dollars, to be paid out and expended under the  
 43641 direction of the President, and in such manner as he shall  
 43642 approve.

43643 ARTICLE 5. The President may from time to time, at his  
 43644 discretion, cause the whole or such portion of the land hereby  
 43645 reserved as he may think proper, or of such other land as may  
 43646 be selected in lieu thereof, as provided for in the first article, to  
 43647 be surveyed into lots, and assigned to such Indian or Indians of  
 43648 said confederated bands as are willing to avail themselves of  
 43649 the privilege, and who will locate thereon as a permanent home,  
 43650 if a single person over twenty-one years of age, twenty acres;  
 43651 to each family of two persons, forty acres; to each family of  
 43652 three and not exceeding five persons, sixty acres; to each family  
 43653 of six and not exceeding ten persons, eighty acres; and to each  
 43654 family over ten in number, forty acres for each additional five  
 43655 members. And the President may provide such rules and regu-  
 43656 lations as will secure to the family, in case of the death of the  
 43657 head thereof, the possession and enjoyment of such permanent  
 43658 home and the improvements thereon; and he may at any time,  
 43659 at his discretion, after such person or family has made location

43660 on the land assigned for a permanent home, issue a patent to  
 43661 such person or family for such assigned land, conditioned that  
 43662 the tract shall not be aliened or leased for a longer term than  
 43663 two years, and shall be exempt from levy, sale, or forfeiture,  
 43664 which conditions shall continue in force until a State constitu-  
 43665 tion, embracing such land within its boundaries, shall have been  
 43666 formed, and the legislature of the State shall remove the restric-  
 43667 tions. And if any such family shall at any time neglect or re-  
 43668 fuse to occupy or till a portion of the land assigned, and on  
 43669 which they have located, or shall rove from place to place, the  
 43670 President may, if the patent shall have been issued, revoke the  
 43671 same, or, if not issued, cancel the assignment, and may also  
 43672 withhold from such person or family their proportion of the an-  
 43673 nuities or other moneys due them until they shall have returned  
 43674 to such permanent home, and resume the persuits of industry ;  
 43675 and in default of their return, the tract may be declared aban-  
 43676 doned and thereafter assigned to some other person or family  
 43677 of the Indians residing on the reserve. No State legislature  
 43678 shall remove the restrictions herein provided for, without the  
 43679 consent of Congress.

43680 ARTICLE 6. The United States agree to erect for said In-  
 43681 dians a good blacksmith-shop, furnish it with tools, and keep it  
 43682 in repair for ten years, and provide a competent blacksmith for  
 43683 the same period ; to erect suitable buildings for a hospital,  
 43684 supply medicines, and provide an experienced physician for fifteen  
 43685 years ; to provide a competent farmer to instruct the Indians in  
 43686 agriculture for ten years ; and to erect a school-house, and pro-  
 43687 vide books, stationery, and a properly qualified teacher for  
 43688 twenty years.

43689 ARTICLE 7. The annuities of the Indians shall not be taken  
 43690 to pay the debts of individuals.

43691 ARTICLE 8. The said confederated bands acknowledge their  
 43592 dependence on the Government of the United States, and promise  
 43693 to be friendly with all the citizens thereof, and pledge themselves  
 43694 to commit no depredations on the property of such citizens.  
 43695 And should any one or more of the Indians violate this pledge,  
 43696 and the fact be satisfactorily proven before the agent, the prop-  
 43697 erty taken shall be returned, or in default thereof, or if injured  
 43698 or destroyed, compensation may be made by the Government  
 43699 out of their annuities. Nor will they make war on any other tribe,  
 43700 except in self-defence, but will submit all matters of difference  
 43701 between them and other Indians to the Government of the  
 43702 United States or its agent for decision, and abide thereby. And  
 43703 if any of the said Indians commit any depredations on any other  
 43704 Indians, the same rule shall prevail as that prescribed in this  
 43705 article in case of any depredations against citizens. Said In-

43706 dians further engage to submit to and observe all laws, rules,  
 43707 and regulations which may be prescribed by the United States  
 43708 for the government of said Indians.

43709 ARTICLE 9. It is hereby provided, in order to prevent the  
 43710 evils of intemperance among said Indians, that any one of them  
 43711 who shall be guilty of bringing liquor into their reserve, or shall  
 43712 drink liquor, may have his or her proportion of the annuities  
 43713 withheld from him on her for such time as the President may  
 43714 determine.

43715 ARTICLE 10. The said confederate bands agree that all the  
 43716 necessary roads, highways, and railroads which may be con-  
 43717 structed as the country improves, the lines of which may run  
 43718 through the reservation of said Indians, shall have the right of  
 43719 way therein, a just compensation being made therefor.

43720 ARTICLE 11. The merchandise distributed to the members  
 43721 of the said confederate bands at the negotiation of this treaty  
 43722 shall be considered as in part payment of the annuities herein  
 43723 provided

43724 ARTICLE 12. This treaty shall be obligatory on the con-  
 43725 tracting parties as soon as the same shall be ratified by the  
 43726 President and Senate of the United States.

43727 Proclaimed March 30, 1855.

43728 UTES.

43729 *Treaty between the United States of America and the Tabeguache,*  
 43730 *Muache, Capote, Weeminuche, Yampa, Grand River, and Uintah*  
 43731 *bands of Ute Indians, concluded March 2, 1868; ratifica-*  
 43732 *tion advised, with amendment, July 25, 1868; amendment ac-*  
 43733 *cepted August 15, September 1, 14, 24, and 25, 1868.*

43734 ANDREW JOHNSON, President of the United States of America,  
 43735 to all and singular to whom these presents shall come, greet-  
 43736 ing:

43737 Whereas a treaty was made and concluded at the city of  
 43738 Washington, in the District of Columbia, on the second day of  
 43739 March, in the year of our Lord one thousand eight hundred  
 43740 and sixty-eight, by and between Nathaniel G. Taylor, Alexan-  
 43741 der C. Hunt, and Kit Carson, commissioners on the part of the  
 43742 United States, and U-ré, Ka-ni-ache, An-ka-tosh, José-Maria,  
 43743 Ni-ca-a-gat, Guero, Pa-ant, Pi-ab, Su-vi-ap, and Pa-bu-sat, rep-  
 43744 resentatives of the Tabeguache, Muache, Capote, Weeminuche,  
 43745 Yampa, Grand River, and Uintah bands of Ute Indians, on the

43746 part of said Indians, and duly authorized thereto by them,  
43747 which treaty is in the words and figures following, to wit:

43748 Articles of a treaty and agreement made and entered into at  
43749 Washington City, D. C., on the second day of March, one  
43750 thousand eight hundred and sixty-eight, by and between  
43751 Nathaniel G. Taylor, Commissioner of Indian Affairs, Alex-  
43752 ander C. Hunt, governor of Colorado Territory and ex-offi-  
43753 cio superintendent of Indian affairs, and Kit Carson, duly  
43754 authorized to represent the United States, of the one part,  
43755 and the representatives of the Tabaguache, Mnache, Ca-  
43756 pote, Weeminuche, Yampa, Grand River, and Uintah bands  
43757 of Ute Indians, (whose names are hereto subscribed,) duly  
43758 authorized and empowered to act for the body of the people  
43759 of said bands, of the other part, witness:

43760 ARTICLE 1. All the provisions of the treaty concluded with  
43761 the Tabeguache band of Utah Indians October seventh, one  
43762 thousand eight hundred and sixty-three, as amended by the  
43763 Senate of the United States and proclaimed December four-  
43764 teenth, one thousand eight hundred and sixty-four, which are  
43765 not inconsistent with the provisions of this treaty as hereinafter  
43766 provided, are hereby re-affirmed and declared to be applicable  
43767 and to continue in force as well to the other bands respectively,  
43768 parties to this treaty, as to the Tabeguache band of Utah In-  
43769 dians.

43770 ARTICLE 2. The United States agree that the following dis-  
43771 trict of country, to wit: Commencing at that point on the south-  
43772 ern boundary-line of the Territory of Colorado where the meri-  
43773 dian of longitude 107° west from Greenwich crosses the same;  
43774 running thence north with said meridian to a point fifteen miles  
43775 due north of where said meridian intersects the fortieth parallel  
43776 of north latitude; thence due west to the western boundary-  
43777 line of said Territory; thence south with said western bound-  
43778 ary-line of said Territory to the southern boundary-line of  
43779 said Territory; thence east with said southern boundary-line  
43780 to the place of beginning, shall be, and the same is hereby, set  
43781 apart for the absolute and undisturbed use and occupation of  
43782 the Indians herein named, and for such other friendly tribes or  
43783 individual Indians as, from time to time, they may be willing,  
43784 with the consent of the United States, to admit among them;  
43785 and the United States now solemnly agree that no persons, ex-  
43786 cept those herein authorized so to do, and except such officers,  
43787 agents, and employés of the Government as may be authorized  
43788 to enter upon Indian reservations in discharge of duties enjoined  
43789 by law, shall ever be permitted to pass over, settle upon, or re-  
43790 side in the Territory described in this article, except as herein  
43791 otherwise provided.

43792 ARTICLE 3. It is further agreed by the Indians, parties  
 43793 hereto, that henceforth they will and do hereby relinquish all  
 43794 claims and rights in and to any portion of the United States or  
 43795 Territories, except such as are embraced in the limits defined in  
 43796 the preceding article.

43797 ARTICLE 4. The United States agree to establish two  
 43798 agencies on the reservation provided for in article two, one for  
 43799 the Grand River, Yampa, and Uintah bands, on White River,  
 43800 and the other for the Tabeguache, Muache, Weeminuche, and  
 43801 Capote bands, on the Rio de los Pinos, on the reservation, and at  
 43802 its own proper expense to construct at each of said agencies a  
 43803 warehouse, or store-room, for the use of the agent in storing  
 43804 goods belonging to the Indians, to cost not exceeding fifteen  
 43805 hundred dollars; an agency-building for the residence of the  
 43906 agent, to cost not exceeding three thousand dollars; and four  
 43807 other buildings for a carpenter, farmer, blacksmith, and miller-  
 43808 each to cost not exceeding two thousand dollars; also a school.  
 43809 house or mission-building, so soon as a sufficient number of  
 43810 children can be induced by the agent to attend school, which  
 43811 shall not cost exceeding five thousand dollars.

43812 The United States agree further to cause to be erected on  
 43813 said reservation, and near to each agency herein authorized,  
 43814 respectively, a good water-power saw-mill, with a grist-mill and  
 43815 a shingle-machine attached, the same to cost not exceeding eight  
 43816 thousand dollars each; *Provided*, The same shall not be erected  
 43817 until such time as the Secretary of the Interior may think it  
 43818 necessary to the wants of the Indians.

43819 ARTICLE 5. The United States agree that the agents for  
 43820 said Indians, in the future, shall make their homes at the agency-  
 43821 buildings; that they shall reside among the Indians and keep  
 43822 an office open at all times for the purpose of prompt and diligent  
 43823 inquiry into such matters of complaint by and against the In-  
 43824 dians as may be presented for investigation under the provis-  
 43825 ions of their treaty stipulations, as also for the faithful discharge  
 43826 of other duties enjoined on them by law. In all cases of depre-  
 43827 dation on person or property they shall cause the evidence to  
 43828 be taken in writing and forwarded, together with their finding,  
 43829 to the Commissioner of Indian Affairs, whose decision, subject  
 43830 to the revision of the Secretary of the Interior, shall be binding  
 43831 on the parties to this treaty.

43832 ARTICLE 6. If bad men among the whites or among other  
 43833 people, subject to the authority of the United States, shall com-  
 43834 mit any wrong upon the person or property of the Indians, the  
 43835 United States will, upon proof made to the agent and forwarded  
 43836 to the Commissioner of Indian Affairs at Washington City, pro-  
 43837 ceed at once to cause the offender to be arrested and punished

43838 according to the laws of the United States, and also re-imburse  
 43839 the injured person for the loss sustained. If bad men among the  
 43840 Indians shall commit a wrong or depredation upon the person or  
 43841 property of any one, white, black, or Indian, subject to the au-  
 43842 thority of the United States and at peace therewith, the tribes  
 43843 herein named solemnly agree that they will, on proof made to  
 43844 their agent and notice to him, deliver up the wrong-doer to the  
 43845 United States, to be tried and punished according to its laws,  
 43846 and in case they wilfully refuse so to do, the person injured shall  
 43847 be re-imbursed for his loss from the annuities or other moneys  
 43848 due or to become due to them under this or other treaties made  
 43849 with the United States.

43850 ARTICLE 7. If any individual belonging to said tribe of In-  
 43851 dians or legally incorporated with them, being the head of a  
 43852 family, shall desire to commence farming, he shall have the  
 43853 privilege to select, in the presence and with the assistance of the  
 43854 agent then in charge, by metes and bonds, a tract of land within  
 43855 said reservation not exceeding one hundred and sixty acres in  
 43856 extent, which tract, when so selected, certified, and recorded in  
 43857 the land-book, as herein directed, shall cease to be held in com-  
 43858 mon, but the same may be occupied and held in exclusive pos-  
 43859 session of the person selecting it and his family so long as he or  
 43860 they may continue to cultivate it. Any person over eighteen  
 43861 years of age, not being the head of a family may, in like man-  
 43862 ner, select and cause to be certified to him or her, for purposes  
 43863 of cultivation, a quantity of land not exceeding eighty acres in  
 43864 extent, and thereupon be entitled to the exclusive possession of  
 43865 the same as above directed.

43866 For each tract of land so selected a certificate containing a  
 43867 description thereof, and the name of the person selecting it,  
 43868 with a certificate endorsed thereon that the same has been re-  
 43869 corded, shall be delivered to the party entitled to it, by the  
 43870 agent, after the same shall have been recorded by him in a book  
 43871 to be kept in his office, subject to inspection, which said book  
 43872 shall be known as the "Ute Land-Book."

43873 The President may at any time order a survey of the reser-  
 43874 vation; and, when so surveyed, Congress shall provide for pro-  
 43875 tecting the rights of such Indian settlers in their improvements,  
 43876 and may fix the character of the title held by each.

43877 The United States may pass such laws on the subject of  
 43878 alienation and descent of property, and on all subjects con-  
 43879 nected with the government of the Indians on said reservation  
 43880 and the internal police thereof, as may be thought proper.

43881 ARTICLE 8. In order to insure the civilization of the bands  
 43882 entering into this treaty, the necessity of education is admitted,  
 43883 especially by such of them as are or may be engaged in either

43884 pastoral, agricultural, or other peaceful pursuits of civilized life  
 43885 on said reservation, and they therefore pledge themselves to  
 43886 induce their children, male and female, between the age[s] of  
 43887 seven and eighteen years, to attend school; and it is hereby made  
 43888 the duty of the agent for said Indians to see that this stip-  
 43889 ulation is complied with to the greatest possible extent; and  
 43890 the United States agree that for every thirty children between  
 43891 said ages who can be induced to attend school a house shall be  
 43892 provided, and a teacher competent to teach the elementary  
 43893 branches of an English education shall be furnished, who will  
 43894 reside among said Indians, and faithfully discharge his or her  
 43895 duties as teacher, the provisions of this article to continue for  
 43896 not less than twenty years.

43897 ARTICLE 9. When the head of a family or lodge shall have  
 43898 selected lands, and received his certificate as above described,  
 43899 and the agent shall be satisfied that he intends, in good faith,  
 43900 to commence cultivating the soil for a living, he shall be enti-  
 43901 tled to receive seeds and agricultural implements for the first  
 43902 year, not exceeding in value one hundred dollars, and for each  
 43903 succeeding year he shall continue to farm, for a period of three  
 43904 years more, he shall be entitled to receive seeds and implements  
 43905 as aforesaid, not exceeding in value fifty dollars; and it is further  
 43906 stipulated that such persons as commence farming shall receive  
 43907 instructions from the farmer herein provided for; and it is  
 43908 further stipulated that an additional blacksmith to the one pro-  
 43909 vided for in the treaty of October seventh, one thousand eight  
 43910 hundred and sixty-three, referred to in article one of this treaty,  
 43911 shall be provided with such iron, steel, and other material as  
 43912 may be needed for the Uintah, Yampa, and Grand River  
 43913 agency.

43914 ARTICLE 10. At any time after ten years from the making  
 43915 of this treaty, the United States shall have the privilege of with-  
 43916 drawing the farmers, blacksmiths, carpenters, and millers herein,  
 43917 and in the treaty of October seventh, one thousand eight hun-  
 43918 dred and sixty-three, referred to in article one of this treaty,  
 43919 provided for, but in case of such withdrawal, an additional sum  
 43920 thereafter of ten thousand dollars per annum shall be devoted  
 43921 to the education of said Indians, and the Commissioner of In-  
 43922 dian Affairs shall, upon careful inquiry into their condition,  
 439 3 make such rules and regulations, subject to the approval of the  
 43924 Secretary of the Interior, for the expenditure of said sum as will  
 43925 best promote the educational and moral improvement of said  
 43926 Indians.

43927 ARTICLE 11. That a sum sufficient, in the discretion of  
 43928 Congress, for the absolute wants of said Indians, but not to  
 43929 exceed thirty thousand dollars per annum, for thirty years, shall

43930 be expended, under the direction of the Secretary of the Interior,  
 43931 for clothing, blankets, and such other articles of utility as he  
 43932 may think proper and necessary upon full official reports of the  
 43933 condition and wants of said Indians.

43934 ARTICLE 12. That an additional sum sufficient, in the dis-  
 43935 cretion of Congress, (but not to exceed thirty thousand dollars  
 43936 per annum,) to supply the wants of said Indians for food, shall  
 43937 be annually expended, under the direction of the Secretary of  
 43938 the Interior, in supplying said Indians with beef, mutton, wheat,  
 43939 flour, beans, and potatoes until such time as said Indians shall  
 43940 be found to be capable of sustaining themselves.

43941 ARTICLE 13. That for the purpose of inducing said Indians  
 43942 to adopt habits of civilized life and become self-sustaining, the  
 43943 sum of forty-five thousand dollars, for the first year, shall be  
 43944 expended, under the direction of the Secretary of the Interior,  
 43945 in providing each lodge or head of a family in said confederated  
 43946 bands with one gentle American cow, as distinguished from  
 43947 the ordinary Mexican or Texas breed, and five head of sheep.

43948 ARTICLE 14. The said confederated bands agree that  
 43949 whensoever, in the opinion of the President of the United  
 43950 States, the public interest may require it, that all roads, high-  
 43951 ways, and railroads, authorized by law, shall have the right of  
 43952 way through the reservations herein designated.

43953 ARTICLE 15. The United States hereby agree to furnish  
 43954 the Indians the teachers, carpenters, millers, farmers, and  
 43955 blacksmiths, as herein contemplated, and that such appropri-  
 43956 ations shall be made from time to time, on the estimates of the  
 43957 Secretary of the Interior, as will be sufficient to employ such  
 43958 persons.

43959 ARTICLE 16. No treaty for the cession of any portion or  
 43960 part of the reservation herein described, which may be held in  
 43961 common, shall be of any validity or force as against the said  
 43962 Indians, unless executed and signed by at least three-fourths of  
 43963 all the adult male Indians occupying or interested in the same;  
 43964 and no cession by the tribe shall be understood or construed in  
 43965 such manner as to deprive, without his consent, any individual  
 43966 member of the tribe of his right to any tract of land selected  
 43967 by him, as provided in article seven of this treaty.

43968 ARTICLE 17. All appropriations now made, or to be here-  
 43969 after made, as well as goods and stock due these Indians under  
 43970 existing treaties, shall apply as if this treaty had not been made,  
 43971 and be divided proportionately among the seven bands named  
 43972 in this treaty, as also shall all annuities and allowances hereafter  
 43973 to be made: *Provided*, That if any chief of either of the confederated  
 43974 bands make war against the people of the United States, or in  
 43975 any manner violate this treaty in any essential part, said chief

43976 shall forfeit his position as chief and all rights to any of the  
 43977 benefits of this treaty: *But provided further*, Any Indian of  
 43978 either of these confederated bands who shall remain at peace,  
 43979 and abide by the terms of this treaty in all its essentials, shall  
 43980 be entitled to its benefits and provisions notwithstanding his  
 43981 particular chief and band may have forfeited their rights  
 43982 thereto.

43983 Proclaimed November 6, 1868.

43984 WALLA-WALLAS, CAYUSES, ETC.

43985 *Treaty between the United States and the Walla-Walla, Cayuses,*  
 43986 *and Umatilla tribes and bands of Indians in Washington and*  
 43987 *Oregon Territories, concluded at Camp Stevens, in the Walla-*  
 43988 *Walla Valley, Washington Territory, June 9, 1855; ratified*  
 43989 *by the Senate, March 8, 1859.*

43990 JAMES BUCHANAN, President of the United States of America,  
 43991 to all and singular to whom these presents shall come, greet-  
 43992 ing:

43993 Whereas a treaty was made and concluded at the treaty-  
 43994 ground, Camp Stevens, in the Walla-Walla Valley, on the ninth  
 43995 day of June, one thousand eight hundred and fifty-five, between  
 43996 Isaac I. Stevens, governor and superintendent of Indian affairs  
 43997 for the Territory of Washington, and Joel Palmer, superintend-  
 43998 ent of Indian affairs for Oregon Territory, on the part of the  
 43999 United States, and the hereinafter-named, chiefs, head-men, and  
 44000 delegates of the Walla-Walla, Cayuses, and Umatilla tribes and  
 44001 bands of Indians occupying lands partly in Washington and  
 44002 partly in Oregon Territory, they being duly authorized thereto  
 44003 by said tribes and bands; which treaty is in the following words  
 44004 and figures, to wit:

44005 Articles of agreement and convention made and concluded at  
 44006 the treaty-ground, Camp Stevens, in the Walla-Walla Val-  
 44007 ley, this ninth day of June, in the year one thousand eight  
 44008 hundred and fifty-five, by and between Isaac I. Stevens,  
 44009 governor and superintendent of Indian affairs for the Ter-  
 44010 ritory of Washington, and Joel Palmer, superintendent of  
 44011 Indian affairs for Oregon Territory, on the part of the United  
 44012 States, and the undersigned chiefs, head-men, and delegates  
 44013 of the Walla-Wallas, Cayuses, and Umatilla tribes and  
 44014 bands of Indians occupying lands partly in Washington and  
 44015 partly in Oregon Territories, and who, for the purposes of  
 44016 this treaty, are to be regarded as one nation acting for and

44017 in behalf of their respective bands and tribes, they being  
 44018 duly authorized thereto; it being understood that Superin-  
 44019 tendent I. I. Stevens assumes to treat with that portion of  
 44020 the above-named bands and tribes residing within the Ter-  
 44021 ritory of Washington, and Superintendent Palmer with those  
 44022 residing within Oregon.

44023 ARTICLE 1. The above-named confederated bands of Indians  
 44024 cede to the United States all their right, title, and claim to all  
 44025 and every part of the country claimed by them included in the  
 44026 following boundaries, to wit: Commencing at the mouth of the  
 44027 Tocannon River in Washington Territory, running thence up  
 44028 said river to its source; thence easterly along the summit of the  
 44029 Blue Mountains, and on the southern boundaries of the pur-  
 44030 chase made of the Nez Percés Indians, and easterly along that  
 44031 boundary to the western limits of the country claimed by the  
 44032 Shoshonees or Snake Indians; thence southerly along that  
 44033 boundary (being the waters of Powder River) to the source of  
 44034 Powder River; thence to the head-waters of Willow Creek;  
 44035 thence down Willow Creek to the Columbia River; thence up  
 44036 the channel of the Columbia River to the lower end of a large  
 44037 island below the mouth of Umatilla River; thence northerly to  
 44038 a point on the Yakama River called Tomah-luke; thence to Le  
 44039 Lac; thence to the White Banks on the Columbia below Priest's  
 44040 Rapids; thence down the Columbia River to the junction of the  
 44041 Columbia and Snake Rivers; thence up the Snake River to the  
 44042 place of beginning: *Provided, however,* That so much of the country  
 44043 described above as is contained in the following boundaries shall  
 44044 be set apart as a residence for said Indians, which tract for the pur-  
 44045 poses contemplated shall be held and regarded as an Indian re-  
 44046 servation, to wit: Commencing in the middle of the channel of  
 44047 Umatilla River opposite the mouth of Wild Horse Creek; thence  
 44048 up the middle of the channel of said creek to its source; thence  
 44049 southerly to a point in the Blue Mountains known as Lee's Encamp-  
 44050 ment; thence in a line to the head-waters of Howtome Creek;  
 44051 thence west to the divide between Howtome and Birch Creeks;  
 44052 thence northerly along said divide to a point due west of the  
 44053 southwest corner of William C. McKay's land-claim; thence  
 44054 east along his line to his southeast corner; thence in a line to the  
 44055 place of beginning; all of which tract shall be set apart and, so  
 44056 far as necessary, surveyed and marked out for their exclusive  
 44057 use; nor shall any white person be permitted to reside upon the  
 44058 same without permission of the agent and superintendent. The  
 44059 said tribes and bands agree to remove to and settle upon the  
 44060 same within one year after the ratification of this treaty, with-  
 44061 out any additional expense to the Government other than is pro-  
 44062 vided by this treaty, and until the expiration of the time speci-

44063 fied the said bands shall be permitted to occupy and reside upon  
 44064 the tracts now possessed by them, guaranteeing to all citizen[s]  
 44065 of the United States the right to enter upon and occupy as set-  
 44066 tlers any lands not actually enclosed by said Indians: *Provided,*  
 44067 *also,* That the exclusive right of taking fish in the streams run-  
 44068 ning through and bordering said reservation is hereby secured  
 44069 to said Indians, and at all other usual and accustomed stations in  
 44070 common with citizens of the United States, and of erecting suit-  
 44071 able buildings for curing the same; the privilege of hunting,  
 44072 gathering roots and berries, and pasturing their stock on un-  
 44073 claimed lands in common with citizens is also secured to them :  
 44074 *And provided also,* That if any band or bands of Indians resid-  
 44075 ing in and claiming any portion or portions of the country de-  
 44076 scribed in this article shall not accede to the terms of this treaty,  
 44077 then the bands becoming parties hereunto agree to reserve such  
 44078 part of the several and other payments herein named as a con-  
 44079 sideration for the entire country described as aforesaid as shall  
 44080 be in the proportion that their aggregate number may have to  
 44081 the whole number of Indians residing in and claiming the entire  
 44082 country aforesaid, as consideration and payment in full for the  
 44083 tracts in said country claimed by them: *And provided also,*  
 44084 That when substantial improvements have been made by any  
 44085 member of the bands being parties to this treaty, who are  
 44086 compelled to abandon them in consequence of said treaty, [they]  
 44087 shall be valued under the direction of the President of the United  
 44088 States and payment made therefor.

44089 ARTICLE 2. In consideration of and payment for the coun-  
 44090 try hereby ceded, the United States agree to pay the bands and  
 44091 tribes of Indians claiming territory and residing in said coun-  
 44092 try, and who remove to and reside upon said reservation, the  
 44093 several sums of money following, to wit: eight thousand dollars  
 44094 per annum for the term of five years, commencing on the first  
 44095 day of September, 1856; six thousand dollars per annum for  
 44096 the term of five years next succeeding the first five; four thou-  
 44097 sand dollars per annum for the term of five years next succeed-  
 44098 ing the second five, and two thousand dollars per annum for  
 44099 the term of five years next succeeding the third five; all of  
 44100 which several sums of money shall be expended for the use  
 44101 and benefit of the confederated bands herein named, under the  
 44102 direction of the President of the United States, who may from  
 44103 time to time, at his discretion, determine what proportion thereof  
 44104 shall be expended for such objects as in his judgment will pro-  
 44105 mote their well-being, and advance them in civilization, for their  
 44106 moral improvement and education, for buildings, opening and  
 44107 fencing farms, breaking land, purchasing teams, wagons, agri-  
 44108 cultural implements and seeds, for clothing, provision, and tools,

44109 for medical purposes, providing mechanics and farmers, and for  
44110 arms and ammunition.

44111 ARTICLE 3. In addition to the articles advanced the In-  
44112 dians at the time of signing this treaty, the United States agree  
44113 to expend the sum of fifty thousand dollars during the first and  
44114 second years after its ratification, for the erection of buildings  
44115 on the reservation, fencing and opening farms, for the purchase  
44116 of teams, farming implements, clothing, and provisions, for  
44117 medicines and tools, for the payment of employés, and for sub-  
44118 sisting the Indians the first year after their removal.

44119 ARTICLE 4. In addition to the consideration above speci-  
44120 fied, the United States agree to erect, at suitable points on the  
44121 reservation, one saw-mill and one flouring-mill, a building suita-  
44122 ble for a hospital, two school-houses, one blacksmith-shop, one  
44123 building for wagon and plough maker, and one carpenter and  
44124 joiner shop, one dwelling for each, two millers, one farmer, one  
44125 superintendent of farming operations, two school-teachers, one  
44126 blacksmith, one wagon and plough maker, one carpenter and  
44127 joiner, to each of which the necessary out-buildings; to pur-  
44128 chase and keep in repair for the term of twenty years all neces-  
44129 sary mill fixtures and mechanical tools, medicines and hospital  
44130 stores, books and stationery for schools, and furniture for em-  
44131 ployés. The United States further engage to secure and pay for  
44132 the services and subsistence, for the term of twenty years, [of] one  
44133 superintendent of farming operations, one farmer, one black-  
44134 smith, one wagon and plough maker, one carpenter and joiner,  
44135 one physician, and two school-teachers.

44136 ARTICLE 5. The United States further engage to build for  
44137 the head chiefs of the Walla-Walla, Cayuse, and Umatilla bands  
44138 each one dwelling-house, and to plough and fence ten acres of  
44139 land for each, and to pay to each five hundred dollars per an-  
44140 num in cash for the term of twenty years; the first payment  
44141 to the Walla-Walla chief to commence upon the signing of this  
44142 treaty. To give to the Walla-Walla chief three yoke of oxen,  
44143 three yokes and four chains, one wagon, two ploughs, twelve  
44144 hoes, twelve axes, two shovels, and one saddle and bridle, one  
44145 set of wagon-harness, and one set of plough-harness, within  
44146 three months after the signing of this treaty. To build for  
44147 the son of Pio-pio-mox-mox one dwelling-house, and plough and  
44148 fence five acres of land, and to give him a salary for twenty  
44149 years, one hundred dollars in cash per annum, commencing  
44150 September first, eighteen hundred and fifty-six. The im-  
44151 provement named in this section to be completed as soon  
44152 after the ratification of this treaty as possible. It is further  
44153 stipulated that Pio-pio-mox-mox is secured for the term of  
44154 five years the right to build and occupy a house at or near

44155 the mouth of Yakama River, to be used as a trading-post  
 44156 in the sale of his bands of wild cattle ranging in that dis-  
 44157 trict: *And provided also*, That in consequence of the immigrant  
 44158 wagon-road from Grand Round to Umatilla passing through the  
 44159 reservation herein specified, thus leading to turmoils and dis-  
 44160 putes between Indians and immigrants, and as it is known that a  
 44161 more desirable and practicable route may be had to the south of  
 44162 the present road, that a sum not exceeding ten thousand dollars  
 44163 shall be expended in locating and opening a wagon-road from  
 44164 Powder River or Grand Round, so as to reach the plain at the  
 44165 western base of the Blue Mountains, south of the southern limits  
 44166 of said reservation.

44167 ARTICLE 6. The President may from time to time, at his  
 44168 discretion, cause the whole, or such portion as he may think proper,  
 44169 of the tract that may now or hereafter be set apart as a perma-  
 44170 nent home for those Indians, to be surveyed into lots and as-  
 44171 signed to such Indians of the confederated bands as may wish  
 44172 to enjoy the privilege, and locate thereon permanently, to a  
 44173 single person over twenty-one years of age, forty acres; to a  
 44174 family of two persons, sixty acres; to a family of three and not  
 44175 exceeding five, eighty acres; to a family of six persons and not  
 44176 exceeding ten, one hundred and twenty acres; and to each family  
 44177 over ten in number, twenty acres to each additional three mem-  
 44178 bers; and the President may provide for such rules and regula-  
 44179 tions as will secure to the family in case of the death of the head  
 44180 thereof the possession and enjoyment of such permanent home  
 44181 and improvement thereon; and he may at any time, at his dis-  
 44182 cretion, after such person or family has made location on the  
 44183 land assigned as a permanent home, issue a patent to such per-  
 44184 son or family for such assigned land, conditioned that the tract  
 44185 shall not be aliened or leased for a longer term than two years,  
 44186 and shall be exempt from levy, sale, or forfeiture, which condi-  
 44187 tion shall continue in force until a State constitution, embracing  
 44188 such land within its limits, shall have been formed and the legis-  
 44189 lature of the State shall remove the restriction: *Provided*,  
 44190 *however*, That no State legislature shall remove the restriction  
 44191 herein provided for without the consent of Congress: *And pro-*  
 44192 *vided also*, That if any person or family shall at any time neg-  
 44193 lect or refuse to occupy or till a portion of the land assigned and  
 44194 on which they have located, or shall roam from place to place,  
 44195 indicating a desire to abandon his home, the President may, if  
 44196 the patent shall have been issued, cancel the assignment, and  
 44197 may also withhold from such person or family their portion of  
 44198 the annuities or other money due them until they shall have  
 44199 returned to such permanent home and resumed the pursuits of  
 44200 industry; and in default of their return the tract may be declared

44201 abandoned, and thereafter assigned to some other person or  
 44202 family of Indians residing on said reservation: *And provided*  
 44203 *also*, That the head chiefs of the three principal bands, to wit,  
 44204 Pio-pio-mox-mox, Weyatenatemany, and Wenap-snoot, shall be  
 44205 secured in a tract of at least one hundred and sixty acres of  
 44206 land.

44207 ARTICLE 7. The annuities of the Indians shall not be taken  
 44208 to pay the debts of individuals.

44209 ARTICLE 8. The confederated bands acknowledge their de-  
 44210 pendence on the Government of the United States, and promise  
 44211 to be friendly with all the citizens thereof, and pledge themselves  
 44212 to commit no depredation on the property of such citizens, and  
 44213 should any one or more of the Indians violate this pledge, and  
 44214 the fact be satisfactorily proven before the agent, the property  
 44215 taken shall be returned, or in default thereof, or if injured, or  
 44216 destroyed, compensation may be made by the Government out  
 44217 of their annuities; nor will they make war on any other tribe of  
 44218 Indians except in self-defense, but submit all matter of differ-  
 44219 ence between them and other Indians to the Government of the  
 44220 United States or its agents for decision, and abide thereby; and  
 44221 if any of the said Indians commit any depredations on other In-  
 44222 dians, the same rule shall prevail as that prescribed in the  
 44223 article in case of depredations against citizens. Said Indians  
 44224 further engage to submit to and observe all laws, rules, and  
 44225 regulations which may be prescribed by the United States for  
 44226 the government of said Indians.

44227 ARTICLE 9. In order to prevent the evils of intemperance  
 44228 among said Indians it is hereby provided that if any one of  
 44229 them shall drink liquor, or procure it for others to drink, [such  
 44230 one] may have his or her proportion of the annuities withheld  
 44231 from him or her for such time as the President may determine.

44232 ARTICLE 10. The said confederated bands agree that, when-  
 44233 ever in the opinion of the President of the United States the  
 44234 public interest may require it, *that* all roads, highways, and rail-  
 44235 roads shall have the right of way through the reservation herein  
 44236 designated, or which may at any time hereafter be set apart as  
 44237 a reservation for said Indians.

44238 ARTICLE 11. This treaty shall be obligatory on the con-  
 44239 tracting parties as soon as the same shall be ratified by the  
 44240 President and Senate of the United States.

44241 Proclaimed April 11, 1859.

## WEAS.

44242

44243 *Articles of a treaty made and concluded at St. Mary's between the*  
 44244 *United States of America, by their commissioners, Jonathan*  
 44245 *Jennings, Lewis Cass, and Benjamin Park, and the Wea tribe*  
 44246 *of Indians.*

44247 ARTICLE 1. The said Wea tribe of Indians agree to cede  
 44248 to the United States all the lands claimed and owned by the  
 44249 said tribe within the limits of the States of Indiana, Ohio, and  
 44250 Illinois.

44251 ARTICLE 2. The said Wea tribe of Indians reserve to them  
 44252 selves the following-described tract of land, viz: Beginning at  
 44253 the mouth of Raccoon Creek; thence, by the present boundary-  
 44254 line, seven miles; thence northeasterly seven miles to a point  
 44255 seven miles from the Wabash River; thence to the Wabash  
 44256 River by a line parallel to the present boundary-line aforesaid;  
 44257 and thence by the Wabash River to the place of beginning:  
 44258 to be holden by the said tribe as Indian reservations are usually  
 44259 held.

44260 ARTICLE 3. The United States agree to grant to Christmas  
 44261 Dageny and Mary Shields, formerly Mary Dageny, children of  
 44262 Mechinquamesha, sister of Jacco, a chief of the said tribe, and  
 44263 their heirs, one section of land each; but the land hereby  
 44264 granted shall not be conveyed or transferred to any person or  
 44265 persons by the grantees aforesaid, or their heirs, or either of  
 44266 them, but with the consent of the President of the United  
 44267 States.

44268 ARTICLE 4. The said Wea tribe of Indians accede to and  
 44269 sanction the cession of land made by the Kickapoo tribe of In-  
 44270 dians in the second article of a treaty concluded between the  
 44271 United States and the said Kickapoo tribe on the ninth day of  
 44272 December, one thousand eight hundred and nine, (proclaimed  
 44273 March 8, 1810; see page 436.)

44274 ARTICLE 5. In consideration of the cession made in the  
 44275 foregoing articles of this treaty, the United States agree to pay  
 44276 to the said Wea tribe of Indians one thousand eight hundred  
 44277 and fifty dollars annually in addition to the sum of one thou-  
 44278 sand one hundred and fifty dollars, (the amount of their former  
 44279 annuity,) making a sum total of three thousand dollars; to be  
 44280 paid in silver by the United States annually to the said tribe,  
 44281 on the reservation described by the second article of this  
 44282 treaty.

44283 Proclaimed January 7, 1819.

\*125 I T

44284 *A treaty made and concluded by Benjamin Parke, a commissioner*  
 44285 *for that purpose on the part of the United States, of the one*  
 44286 *part, and the chiefs, warriors, and head-men of the Wea tribe*  
 44287 *of Indians, of the other part.*

44288 ARTICLE 1. The chiefs, warriors, and head-men of the said  
 44289 tribe agree to cede, and they do hereby cede and relinquish, to  
 44290 the United States all the land reserved by the second article of  
 44291 the treaty between the United States and the said tribe con-  
 44292 cluded at Saint Mary's on the second day of October, eighteen  
 44293 hundred and eighteen, (preceding treaty.)

44294 ARTICLE 2. The sum of five thousand dollars in money  
 44295 and goods which is now paid and delivered by the United States,  
 44296 the receipt wherof the chiefs, warriors, and head-men of the  
 44297 said tribe do hereby acknowledge, is considered by the parties  
 44298 a full compensation for the cession and relinquishment above  
 44299 mentioned.

44300 ARTICLE 3. As it is contemplated by the said tribe to re-  
 44301 move from the Wabash, it is agreed that the annuity secured to  
 44302 the Weas by the treaty of Saint Mary's above mentioned shall  
 44303 hereafter be paid to them at Kaskaskia, in the State of Illinois.

44304 ARTICLE 4. This treaty, as soon as it is ratified by the  
 44305 President and Senate of the United States, to be binding on the  
 44306 contracting parties.

44307 Proclaimed January 8, 1821.

44308 *A convention entered into at Vincennes, in the Indiana Territory,*  
 44309 *between William Henry Harrison, commissioner plenpotentiary*  
 44310 *of the United States for treating with the Indian tribes north-*  
 44311 *west of the Ohio, and the Wea tribe.*

44312 The said tribe, by their sachems and head-warriors, hereby  
 44313 declare their full and free consent to the treaty concluded at  
 44314 Fort Wayne, on the thirtieth ultimo, by the above-mentioned  
 44315 commissioner, with the Delaware, Miami, Putawatimie, and Eel  
 44316 River tribes; and also to the separate article entered into on  
 44317 the same day with the Miami and Eel River tribes. And the  
 44318 said commissioner, on the part of the United States, agrees to  
 44319 allow the said Indian tribe an additional annuity of three hun-  
 44320 dred dollars, and a present sum of fifteen hundred dollars, in  
 44321 consideration of the relinquishment made in the first article of  
 44322 said treaty; and a further permanent annuity of one hundred  
 44323 dollars as soon as the Kickapoos can be brought to give their  
 44324 consent to the ninth article of said treaty.

44325 Proclaimed January 25, 1810.

## WINNEBAGOS.

44326

44327 *A treaty of peace and friendship made and concluded between Will-*  
 44328 *iam Clark, Ninian Edwards, and Auguste Chouteau, commis-*  
 44329 *sioners plenipotentiary of the United States of America, on the*  
 44330 *part and behalf of the said States, of the one part, and the un-*  
 44331 *dersigned chiefs and warriors of that portion of the Winnebago*  
 44332 *tribe or nation residing on the Ouisconsin River, of the other*  
 44333 *part.*

44334 Whereas the undersigned chiefs and warriors, as well as  
 44335 that portion of the nation which they represent, have separated  
 44336 themselves from the rest of their nation, and reside in a village  
 44337 on the Ouisconsin River, and are desirous of returning to a state  
 44338 of friendly relations with the United States, the parties hereto  
 44339 have agreed to the following articles :

44340 ARTICLE 1. Every injury or act of hostility committed by  
 44341 one or either of the contracting parties against the other shall  
 44342 be mutually forgiven and forgot ; and all the friendly relations  
 44343 that existed between them before the late war shall be, and the  
 44344 same are hereby, renewed.

44345 ARTICLE 2. The undersigned chiefs and warriors, for them-  
 44346 selves and those they represent, do, by these presents, confirm  
 44347 to the United States all and every cession of land heretofore  
 44348 made by their nation to the British, French, or Spanish govern-  
 44349 ment within the limits of the United States or their territories ;  
 44350 and also all and every treaty, contract, and agreement hereto-  
 44351 fore concluded between the United States and the said tribe or  
 44352 nation, as far as their interest in the same extends.

44353 ARTICLE 3. The undersigned chiefs and warriors as afore-  
 44354 said, for themselves and those they represent, do hereby ac-  
 44355 knowledge themselves to be under the protection of the United  
 44356 States, and of no other nation, power, or sovereign whatsoever.

44357 ARTICLE 4. The aforesaid chiefs and warriors, for them-  
 44358 selves and those they represent, do further promise to remain  
 44359 distinct and separate from the rest of their tribe or nation,  
 44360 giving them no aid or assistance whatever, until peace shall  
 44361 also be concluded between the United States and the said tribe  
 44362 or nation.

44363 ARTICLE 5. The contracting parties do hereby agree,  
 44364 promise, and oblige themselves, reciprocally, to deliver up all  
 44365 prisoners now in their hands (by what means soever the same  
 44366 may have come into their possession) to the officer commanding  
 44367 at Prairie du Chien, to be by him restored to the respective  
 44368 parties hereto, as soon as it may be practicable.

44369 Proclaimed January 30, 1816.

44370 *Articles of a treaty made and concluded at the Village of Prairie du*  
 44371 *Chien, Michigan Territory, on this first day of August, in the*  
 44372 *year one thousand eight hundred and twenty-nine, between the*  
 44373 *United States of America, by their commissioners, General*  
 44374 *John M'Niel, Colonel Pierre Menard, and Caleb Atwater, esq.,*  
 44375 *for and on behalf of said States, of the one part, and the nation*  
 44376 *of Winnebago Indians of the other part.*

44377 ARTICLE 1. The said Winnebago Nation hereby forever  
 44378 cede and relinquish to the said United States all their right,  
 44379 title, and claim to the lands and country contained within the  
 44380 following limits and boundaries, to wit: Beginning on Rock  
 44381 River, at the mouth of the *Pee-kee-tau-no* or *Pee-kee-tol-a-ka*, a  
 44382 branch thereof; thence up the *Pee-kee-tol-a-ka* to the mouth of  
 44383 Sugar Creek; thence up the said creek to the source of the  
 44384 Eastern Branch thereof; thence by a line running due north to the  
 44385 road leading from the Eastern Blue Mound, by the most northern  
 44386 of the four lakes, to the portage of the Wisconsin and Fox  
 44387 Rivers; thence along the said road to the crossing of Duck  
 44388 Creek; thence by a line running in a direct course to the most  
 44389 southeasterly bend of Lake Puck-a-way, on Fox River; thence  
 44390 up said lake and Fox River to the portage of the Wisconsin;  
 44391 thence across said portage to the Wisconsin River; thence  
 44392 down said river to the eastern line of the United States reserva-  
 44393 tion at the mouth of said river, on the south side thereof, as  
 44394 described in the second article of the treaty made at St. Louis,  
 44395 on the twenty-fourth day of August, in the year eighteen hun-  
 44396 dred and sixteen, with the Chippewas, Ottawas, and Potawa-  
 44397 tamies, (proclaimed December 30, 1816; see page 151;) thence  
 44398 with the lines of a tract of country on the Mississippi River,  
 44399 (secured to the Chippewas, Ottawas, and Potawatamies of the  
 44400 Illinois by the ninth article of the treaty made at Prairie du  
 44401 Chien, on the nineteenth day of August, in the year eighteen  
 44402 hundred and twenty-five, proclaimed February 26, 1826, (see  
 44403 page 159;) running southwardly, passing the heads of the small  
 44404 streams emptying into the Mississippi to the Rock River, at the  
 44405 Winnebago village, forty miles above its mouth; thence up  
 44406 Rock River to the mouth of the *Pee-kee tol-a-ka* River, the place  
 44407 of beginning.

44408 ARTICLE 2. In consideration of the above cession, it is  
 44409 hereby stipulated that the said United States shall pay to the  
 44410 said Winnebago Nation of Indians the sum of eighteen thou-  
 44411 sand dollars in specie annually, for the period of thirty years;  
 44412 which said sum is to be paid to said Indians at Prairie du Chien,  
 44413 and Fort Winnebago, in proportion to the numbers residing  
 44414 within the most convenient distance of each place, respectively;

44415 and it is also agreed that the said United States shall deliver  
 44416 immediately to said Indians, as a present, thirty thousand dol-  
 44417 lars in goods; and it is further agreed that three thousand  
 44418 pounds of tobacco and fifty barrels of salt shall be annually  
 44419 delivered to the said Indians by the United States, for the  
 44420 period of thirty years; half of which articles shall be delivered  
 44421 at the agency at Prairie du Chien, and the other half at the  
 44422 agency of Fort Winnebago.

44423 ARTICLE 3. And it is further agreed between the parties  
 44424 that the said United States shall provide and support three  
 44425 blacksmiths' shops, with the necessary tools, iron, and steel, for  
 44426 the use of the said Indians, for the term of thirty years; one at  
 44427 Prairie du Chien, one at Fort Winnebago, and one on the  
 44428 waters of Rock River; and furthermore, the said United States  
 44429 engage to furnish, for the use of the said Indians, two yoke of  
 44430 oxen, one cart, and the services of a man at the portage of the  
 44431 Wisconsin and Fox Rivers, to continue at the pleasure of the  
 44432 agent at that place, the term not to exceed thirty years.

44433 ARTICLE 4. The United States (at the request of the Indians  
 44434 aforesaid) further agree to pay to the persons named in the  
 44435 schedule annexed to this treaty, (and which forms part and par-  
 44436 cel thereof,) the several sums as therein specified, amounting, in  
 44437 all, to the sum of twenty-three thousand five hundred and thirty-  
 44438 two dollars and twenty-eight cents; which sum is in full satis-  
 44439 faction of the claims brought by said persons against said  
 44440 Indians, and by them acknowledged to be justly due.

44441 ARTICLE 5. And it is further agreed that, from the land  
 44442 hereinbefore ceded, there shall be granted by the United States  
 44443 to the persons herein named, (being descendants of said Indians,) the quantity of land as follows, to be located without the mineral  
 44444 country, under the direction of the President of the United  
 44445 States, that is to say: to Catherine Myott, two sections; to  
 44446 Mary, daughter of Catharine Myott, one section; to Michael St.  
 44447 Cyr, son of *Hee-no-kau*, (a Winnebago woman,) one section; to  
 44448 Mary, Ellen, and Brigitte, daughters of said *Hee-no-kau*, each  
 44449 one section; to Catherine and Olivier, children of Olivier Ameile,  
 44450 each one section; to François, Therese, and Joseph, children of  
 44451 Joseph Thibault, each one section; to Sophia, daughter of Joshua  
 44452 Palen, one section; to Pierre Pacquette, two sections; and to his  
 44453 two children, Therese and Moses, each one section; to Pierre Grig-  
 44454 non L'Avoine, Amable, Margaret, Genevieve, and Mariette, chil-  
 44455 dren of said Pierre, each one section; to *Mauh-nah-tee-see*, (a Win-  
 44456 nebaygo woman,) one section; and to her eight children, viz,  
 44457 Therese, Benjamin, James, Simeon, and Phelise Lecuyer, Julia,  
 44458 and Antoine Grignon, and Alexis Peyet, each one section; to  
 44459 John Baptiste Pascal, Margaret, Angelique, Domitille, Therese,

44461 and Lisette, children of the late John Baptiste Pacquette, each  
 44462 one section; to Madeline Brisbois, daughter of the late Michel  
 44463 Brisbois, jr., one section; to Therese Gagnier and her two chil-  
 44464 dren, François and Louise, two sections; to Mary, daughter of  
 44465 Luther Gleason, one section; and to Theodore Lupien, one sec-  
 44466 tion; all which aforesaid grants are not to be leased or sold by  
 44467 said grantees to any person or persons whatever, without the  
 44468 permission of the President of the United States; and it is  
 44469 further agreed that the said United States shall pay to Therese  
 44470 Gagnier the sum of fifty dollars per annum, for fifteen years, to  
 44471 be deducted from the annuity to said Indians.

44472 ARTICLE 6. This treaty, after the same shall be ratified by  
 44473 the President of the United States, by and with the advice and  
 44474 consent of the Senate thereof, shall be obligatory on the con-  
 44475 tracting parties.

44476 Proclaimed January 2, 1830.

44477 *Articles of a treaty made and concluded at Fort Armstrong, Rock*  
 44478 *Island, Illinois, between the United States of America, by their*  
 44479 *commissioners, Major-General Winfield Scott, of the United*  
 44480 *States Army, and his excellency John Beynolds, governor of*  
 44481 *the State of Illinois, and the Winnebago Nation of Indians,*  
 44482 *represented in general council by the undersigned chiefs, head-*  
 44483 *men, and warriors.*

44484 ARTICLE 1. The Winnebago Nation hereby cede to the  
 44485 United States, forever, all the lands to which said nation have  
 44486 title or claim, lying to the south and east of the Wisconsin  
 44487 River, and the Fox River of Green Bay; bounded as follows, viz:  
 44488 Beginning at the mouth of the Pee-kee-tol-a-ka River; thence up  
 44489 Rock River to its source; thence, with a line dividing the Win-  
 44490 nebago Nation from other Indians east of the Winnebago Lake,  
 44491 to the Grande Châte; thence up Fox River to the Winnebago  
 44492 Lake, and with the northwestern shore of said lake to the inlet  
 44493 of Fox River; thence up said river to Lake Puckaway, and with  
 44494 the eastern shore of the same to its most southeasterly bend;  
 44495 thence with the line of a purchase made of the Winnebago Na-  
 44496 tion, by the treaty at Prairie du Chêne, the first day of August,  
 44497 one thousand eight hundred and twenty-nine, to the place of  
 44498 beginning.

44499 ARTICLE 2. In part consideration of the above cession, it  
 44500 is hereby stipulated and agreed that the United States grant to  
 44501 the Winnebago Nation, to be held as other Indian lands are  
 44502 held, that part of the tract of country on the west side of the  
 44503 Mississippi, known at present as the Neutral Ground, embraced  
 44504 within the following limits, viz: Beginning on the west bank of

44505 the Mississippi River, twenty miles above the mouth of the Up-  
 44506 per Ioway River, where the line of the lands purchased of the  
 44507 Sioux Indians, as described in the third article of the treaty of  
 44508 Prairie du Chien, of the fifteenth day of July, one thousand  
 44509 eight hundred and thirty, begins; thence, with said line, as  
 44510 surveyed and marked, to the Eastern Branch of the Red Cedar  
 44511 Creek; thence down said creek forty miles, in a straight line,  
 44512 but following its windings, to the line of a purchase, made of  
 44513 the Sac and Fox tribes of Indians, as designated in the second  
 44514 article of the before-recited treaty; and thence along the south-  
 44515 ern line of said last-mentioned purchase, to the Mississippi, at  
 44516 the point marked by the surveyor, appointed by the President  
 44517 of the United States, on the margin of said river; and thence  
 44518 up said river to the place of beginning. The exchange of the  
 44519 two tracts of country to take place on or before the first day of  
 44520 June next; that is to say, on or before that day, all the Win-  
 44521 nebagoes now residing within the country ceded by them, as  
 44522 above, shall leave the said country, when, and not before, they  
 44523 shall be allowed to enter upon the country granted by the  
 44524 United States, in exchange.

44525 ARTICLE 3. But as the country hereby ceded by the Winne-  
 44526 bago Nation is more extensive and valuable than that given by  
 44527 the United States in exchange, it is further stipulated and  
 44528 agreed that the United States pay to the Winnebago Nation,  
 44529 annually, for twenty-seven successive years, the first payment  
 44530 to be made in September of the next year, the sum of ten thou-  
 44531 sand dollars, in specie; which sum shall be paid to the said  
 44532 nation at Prairie du Chien and Fort Winnebago, in sums pro-  
 44533 portional to the numbers residing most conveniently to those  
 44534 places respectively.

44535 ARTICLE 4. It is further stipulated and agreed that the  
 44536 United States shall erect a suitable building or buildings, with  
 44537 a garden and a field attached, somewhere near Fort Crawford or  
 44538 Prairie du Chien, and establish and maintain therein for the  
 44539 term of twenty-seven years a school for the education, includ-  
 44540 ing clothing, board, and lodging, of such Winnebago children  
 44541 as may be voluntarily sent to it; the school to be conducted by  
 44542 two or more teachers, male and female, and the said children to  
 44543 be taught reading, writing, arithmetic, gardening, agriculture,  
 44544 carding, spinning, weaving, and sewing, according to their ages  
 44545 and sexes, and such other branches of useful knowledge as the  
 44546 President of the United States may prescribe: *Provided*, That  
 44547 the annual cost of the school shall not exceed the sum of three  
 44548 thousand dollars. And in order that the said school may be pro-  
 44549 ductive of the greatest benefit to the Winnebago Nation, it is  
 44550 hereby subjected to the visits and inspections of his excellency

44551 the gouvernor of the State of Illinois for the time being; the  
 44552 United States general superintendents of Indian affairs; of the  
 44553 United States agents who may be appointed to reside among  
 44554 the Winnebago Indians, and of any officer of the United States  
 44555 Army who may be of or above the rank of major: *Provided*,  
 44556 That the commanding officer of Fort Crawford shall make such  
 44557 visits and inspections frequently, although of an inferior rank.

44558 ARTICLE 5. And the United States further agree to make  
 44559 to the said nation of Winnebago Indians the following allow-  
 44560 ances for the period of twenty-seven years in addition to the con-  
 44561 siderations hereinbefore stipulated; that is to say: for the sup-  
 44562 port of six agriculturists and the purchase of twelve yokes of  
 44563 oxen, ploughs, and other agricultural implements, a sum not ex-  
 44564 ceeding two thousand five hundred dollars per annum; to the  
 44565 Rock River band of Winnebagoes, one thousand five hundred  
 44566 pounds of tobacco per annum; for the services and attendance  
 44567 of a physician at Prairie du Chien, and of one at Fort Winne-  
 44568 bago, each two hundred dollars per annum.

44569 ARTICLE 6. It is further agreed that the United States re-  
 44570 move and maintain within the limits prescribed in this treaty  
 44571 for the occupation of the Winnebagoes the blacksmith's shop,  
 44572 with the necessary tools, iron, and steel heretofore allowed to  
 44573 the Winnebagoes, on the waters of the Rock River, by the  
 44574 third article of the treaty made with the Winnebago Nation at  
 44575 Prairie du Chien on the first day of August, one thousand  
 44576 eight hundred and twenty nine.

44577 ARTICLE 7. And it is further stipulated and agreed by the  
 44578 United States that there shall be allowed and issued to the  
 44579 Winnebagoes required by the terms of this treaty to remove  
 44580 within their new limits, soldiers' rations of bread and meat for  
 44581 thirty days: *Provided*, That the whole number of such rations  
 44582 shall not exceed sixty thousand.

44583 ARTICLE 8. The United States, at the request of the Winne-  
 44584 bago Nation of Indians aforesaid, further agree to pay to the  
 44585 following-named persons the sums set opposite their names re-  
 44586 spectively, viz: To Joseph Ogee, two hundred and two dollars  
 44587 and fifty cents; to William Wallace, four hundred dollars; and  
 44588 to John Dougherty, four hundred and eighty dollars, amounting  
 44589 in all to one thousand and eighty-two dollars and fifty cents,  
 44590 which sum is in full satisfaction of the claims brought by said  
 44591 persons against said Indians and by them acknowledged to be  
 44592 justly due.

44593 ARTICLE 9. On demand of the United States commission-  
 44594 ers, it is expressly stipulated and agreed that the Winnebago  
 44595 Nation shall promptly seize and deliver up to the commanding  
 44596 officer of some United States military post, to be dealt with ac-

44597 cording to law, the following individual Winnebagoes, viz:  
 44598 Koo-zee-ray-Kaw, Moy-che-nun-Kaw, Tshik-o-ke-maw-kaw, Ah-  
 44599 hun-see-kaw, and Waw-zee-ree-kay-hee-wee-kaw, who are ac-  
 44600 cused of murdering or of being concerned in the murdering of  
 44601 certain American citizens at or near the Blue Mound, in the  
 44602 Territory of Michigan; Naw-saw-nay-he-kaw, and Toag-ra-naw-  
 44603 koo-ray-see-ray-kaw, who are accused of murdering, or of being  
 44604 concerned in murdering, one or more American citizens at or  
 44605 near Kellogg's Grove, in the State of Illinois; and also Waw-kee-  
 44606 aun-shaw and his son, who wounded, in attempting to kill, an  
 44607 American soldier, at or near Lake Kosh-ke-nong, in the said  
 44608 Territory; all of which offences were committed in the course of  
 44609 the past spring and summer. And till these several stipula-  
 44610 tions are faithfully complied with by the Winnebago Nation, it  
 44611 is further agreed that the payment of the annuity of ten thou-  
 44612 sand dollars secured by this treaty shall be suspended.

44613 ARTICLE 10. At the special request of the Winnebago Na-  
 44614 tion, the United States agree to grant by patent, in fee-simple,  
 44615 to the following-named persons, all of whom are Winnebagoes  
 44616 by blood, lands as follows: To Pierre Paquette, three sections;  
 44617 to Pierre Paquette, junior, one section; to Therese Paquette,  
 44618 one section; and to Caroline Harney, one section. The lands  
 44619 to be designated under the direction of the President of the  
 44620 United States within the country herein ceded by the Winne-  
 44621 bago Nation.

44622 ARTICLE 11. In order to prevent misapprehensions that  
 44623 might disturb peace and friendship between the parties to this  
 44624 treaty, it is expressly understood that no band or party of Win-  
 44625 nebagoes shall reside, plant, fish, or hunt after the first day of  
 44626 June next on any portion of the country herein ceded to the  
 44627 United States.

44628 ARTICLE 12. This treaty shall be obligatory on the con-  
 44629 tracting parties after it shall be ratified by the President and  
 44630 Senate of the United States.

44631 Proclaimed February 13, 1833.

44632 N. B.—All the stipulations of the foregoing treaties with the  
 44633 Winnebagos, requiring services to be performed, supplies fur-  
 44634 nished, or payments made at designated times and places, are  
 44635 abrogated by the fifth article of the treaty proclaimed June 16,  
 44636 1838, (next succeeding treaty.)

44637 *Articles of a treaty made at the city of Washington, between Carey*  
 44638 *A. Harris, thereto specially directed by the President of the*  
 44639 *United States, and the Winnebago Nation of Indians, by their*  
 44640 *chiefs and delegates.*

44641 ARTICLE 1. The Winnebago Nations of Indians cede to  
 44642 the United States all their land east of the Mississippi River

44643 ARTICLE 2. The said Indians further agree to relinquish the  
 44644 right to occupy, except for the purpose of hunting, a portion of  
 44645 the land held by them west of the Mississippi, included between  
 44646 that river and a line drawn from a point twenty miles distant  
 44647 therefrom on the southern boundary of the neutral ground to a  
 44648 point, equidistant from the said river, on the northern boundary  
 44649 thereof. But this stipulation shall not be so construed as to  
 44650 invalidate their title to the said tract.

44651 ARTICLE 3. The said Indians agree to remove, within eight  
 44652 months from the ratification of this treaty, to that portion of  
 44653 the neutral ground west of the Mississippi which was conveyed  
 44654 to them in the second article of the treaty of September 21st,  
 44655 1832, and the United States agree that the said Indians may  
 44656 hunt upon the western part of said neutral ground until they  
 44657 shall procure a permanent settlement.

44658 ARTICLE 4. In consideration of the cession and relinquish-  
 44659 ment contained in the preceeding articles, the United States  
 44660 agree to the following stipulations on their part.

44661 First. To set apart the sum of two hundred thousand dollars  
 44662 (\$200,000) for the following purposes :

44663 To pay to the individuals herein named the sum specified for  
 44664 each. To Nicholas Boilvin, six thousand dollars (\$6,000 ; ) to the  
 44665 other four children of Nicholas Boilvin, formerly agent for said  
 44666 nation, four thousand dollars (\$4,000) each ; to Catherine Myott,  
 44667 one thousand dollars, (\$1,000;) to Hyacinthe St. Cyr, one  
 44668 thousand dollars, (\$1,000 ; ) to the widow of Henry Gratiot, late  
 44669 sub-agent of the nation, in trust for her eight children, ten thou-  
 44670 sand dollars, (\$10,000 ; ) to H. L. Dousman, in trust for the chil-  
 44671 dren of Pierre Paquette, late interpreter for the nation, three  
 44672 thousand dollars, (\$3,000;) to Joseph Brisbois, two thousand  
 44673 dollars, (\$2,000;) to Satterlee Clark, junior, two thousand dol-  
 44674 lars, (\$2,000;) to John Roy, two thousand dollars, (\$2,000;) to  
 44675 Antoine Grignon, two thousand dollars, (\$2,000;) to Jane F.  
 44676 Rolette, two thousand dollars, (\$2,000;) to George Fisher, one  
 44677 thousand dollars, (\$1,000;) to Theresa Roy, one thousand dol-  
 44678 lars, (\$1,000;) to Domitille Brisbois, one thousand dollars,  
 44679 (\$1,000.) These sums are allowed, at the earnest solicitation of  
 44680 the chiefs and delegates, for supplies and services to the nation  
 44681 afforded by these individuals.

44682 The balance of the above sum of two hundred thousand dol-  
 44683 lars (\$200,000) shall be applied to the debts of the nation which  
 44684 may be ascertained to be justly due, and which may be admitted  
 44685 by the Indians: *Provided*, That if all their just debts shall  
 44686 amount to more than this balance, their creditors shall be paid  
 44687 *pro rata*, upon their giving receipts in full ; and if the just debts  
 44688 shall fall short of said balance, the residue of it shall be invested

44689 for the benefit of the nation: *And provided also*, That no claim  
44690 for depredations shall be paid out of said balance.

44691 Second. To pay, under the direction of the President to the  
44692 relations and friends of said Indians, having not less than one-  
44693 quarter of Winnebago blood, one hundred thousand dollars,  
44694 (\$100,000.)

44695 Third. To expend, for their removal to the lands assigned  
44696 them, a sum not exceeding seven thousand dollars, (\$7,000.)

44697 Fourth. To deliver to the chiefs and delegates, on their arri-  
44698 val at St. Louis, goods and horses to the amount of three thou-  
44699 sand dollars, (\$3,000;) and also to deliver to them, as soon as  
44700 practicable after the ratification of this treaty, and at the expense  
44701 of the United States, goods to the amount of forty-seven thou-  
44702 sand dollars, (\$47,000.)

44703 Fifth. To deliver to them provisions to the amount of ten  
44704 thousand dollars, (\$10,000,) and horses to the same amount.

44705 Sixth. To apply to the erection of a grist-mill, three thousand  
44706 dollars, (\$3,000.)

44707 Seventh. To expend in breaking up and fencing in ground  
44708 after the removal of the said Indians, ten thousand dollars,  
44709 (\$10,000.)

44710 Eighth. To set apart the sum of ten thousand dollars,  
44711 (\$10,000,) to defray contingent and incidental expenses in the  
44712 execution of this treaty, and the expenses of an exploring party,  
44713 when the said Indians shall express a willingness to send one to  
44714 the country southwest of the Missouri River.

44715 Ninth. To invest the balance of the proceeds of the lands  
44716 ceded in the first article of this treaty, amounting to eleven  
44717 hundred thousand dollars, (\$1,100,000,) and to guaranty to them  
44718 an interest of not less than five per cent.

44719 Of this interest, amounting to fifty-five thousand dollars,  
44720 (\$55,000,) it is agreed the following disposition shall be made:

44721 For purposes of education, twenty-eight hundred dollars,  
44722 (\$2,800.)

44723 For the support of an interpreter for the school, five hun-  
44724 dred dollars, (\$500.)

44725 For the support of a miller, six hundred dollars, (\$600.)

44726 For the supply of agricultural implements and assistance,  
44727 five hundred dollars, (\$500.)

44728 For medical services and medicines, six hundred dollars,  
44729 (\$600.)

44730 The foregoing sums to be expended for the objects specified  
44731 for the term of twenty-two years, and longer at the discretion of  
44732 the President. If, at the expiration of that period, or any time  
44733 thereafter, he shall think it expedient to discontinue either or  
44734 all of the above allowances, the amount so discontinued shall be

44735 paid to said Winnebago Nation. The residue of the interest,  
 44736 amounting to fifty thousand dollars, (\$50,000,) shall be paid to  
 44737 said nation in the following manner: Ten thousand dollars  
 44738 (\$10,000) in provisions, twenty thousand dollars (\$20,000) in  
 44739 goods, and twenty thousand dollars (\$20,000) in money.

44740 ARTICLE 5. It is understood and agreed that so much of  
 44741 the stipulations in existing treaties with said Winnebago Nation  
 44742 as requires services to be performed, supplies furnished, or pay-  
 44743 ments made at designated times and places, shall be henceforth  
 44744 null and void; and those stipulations shall be carried into ef-  
 44745 fect at such times and at such points in the country to which  
 44746 they are about to remove as the President may direct.

44747 ARTICLE 6. This treaty to be binding on the contracting  
 44748 parties when it shall be ratified by the United States.

44749 Proclaimed June 16, 1838.

44750 *Articles of a treaty made and concluded at the city of Washington,*  
 44751 *on the thirteenth day of October, in the year one thousand eight*  
 44752 *hundred and forty-six, between the United States, of the one*  
 44753 *part, by their commissioners, Albion K. Parris, John J. Abert,*  
 44754 *and T. P. Andrews, and the Winnebago tribe of Indians, of the*  
 44755 *other part, by a full delegation of said tribe, specially appointed*  
 44756 *by the chiefs, head-men, and warriors thereof.*

44757 ARTICLE 1. It is solemnly agreed that the peace and friend-  
 44758 ship which exist between the people of the United States and  
 44759 the Winnebago Indians shall be perpetual, the said tribe of In-  
 44760 dians giving assurance hereby of fidelity and friendship to the  
 44761 Government and people of the United States, and the United  
 44762 States giving to them, at the same time, promise of all proper  
 44763 care and parental protection.

44764 ARTICLE 2. The said tribe of Indians hereby agree to cede  
 44765 and sell, and do hereby cede and sell, to the United States, all  
 44766 right, title, interest, claim, and privilege to all lands, wherever  
 44767 situated. now or heretofore occupied or claimed by said Indians,  
 44768 within the States and Territories of the United States, and espe-  
 44769 cially to the country now occupied, inhabited, or in any way used  
 44770 by them, called the "neutral ground," which tract of country  
 44771 was assigned to said Indians by the second article of the treaty  
 44772 of Fort Armstrong, concluded on the fifteenth day of September,  
 44773 1832, and ratified on the thirteenth day of February following.  
 44774 (See page 1001.)

44775 ARTICLE 3. In consideration of the foregoing purchase  
 44776 from or cession by the said Indians, the United States hereby  
 44777 agree to purchase and give to the said Indians, as their home,  
 44778 to be held as all Indians' lands are held, a tract of country north

44779 of St. Peter's and west of the Mississippi Rivers, of not less  
 44780 than eight hundred thousand acres, which shall be suitable to  
 44781 their habits, wants, and wishes: *Provided*, Such land can be  
 44782 obtained on just and reasonable terms.

44783 ARTICLE 4. The United States agree to pay to said tribe of  
 44784 Indians the sum of one hundred and fifty thousand dollars for  
 44785 the land, and the sum of forty thousand dollars for release of  
 44786 hunting privileges on the lands adjacent to their present home,  
 44787 making the sum of one hundred and ninety thousand dollars,  
 44788 being in further consideration of the cession or sale made to the  
 44789 United States by the second article of this treaty, to be paid as  
 44790 follows: Forty thousand dollars to enable them to comply with  
 44791 their present just engagements, and to cover the expenses of  
 44792 exploring and selecting (by their own people, or by an agent of  
 44793 their own appointment) their new home; twenty thousand dol-  
 44794 lars in consideration of their removing themselves, and twenty  
 44795 thousand dollars in consideration of their subsisting themselves  
 44796 the first year after their removal; ten thousand dollars to be  
 44797 expended for breaking up and fencing lands, under the direction  
 44798 of the President of the United States, at their new home; ten  
 44799 thousand dollars to be set apart and applied, under the direction  
 44800 of the President, to the creation and carrying on of one or more  
 44801 manual-labor schools for the benefit of said tribe of Indians, and  
 44802 five thousand dollars for building a saw and grist mill. The  
 44803 balance of said sum of one hundred and ninety thousand dollars,  
 44804 viz, eighty-five thousand dollars, to remain *in trust* with the  
 44805 United States, and five per cent. interest thereon to be paid  
 44806 annually to said tribe, or applied for their benefit, as the Presi-  
 44807 dent of the United States may from time to time direct, for the  
 44808 period of thirty years, which shall be in full payment of the said  
 44809 balance: *Provided*, That no part of the said consideration  
 44810 moneys shall be paid until after the arrival of said tribe of In-  
 44811 dians at their new home and appropriations shall have been  
 44812 made by Congress; and that the sums for meeting their present  
 44813 engagements, for removal and subsistence, and for exploring  
 44814 their new home, shall be paid to the chiefs in open council, in  
 44815 such a manner as they in said council shall request.

44816 ARTICLE 5. It is further agreed by the parties to this treaty  
 44817 that the said tribe of Indians shall remove to their new home  
 44818 within one year after the ratification of this treaty, and their  
 44819 new home shall have been procured for them, and they duly  
 44820 notified of the same.

44821 ARTICLE 6. It is further agreed by the parties to this treaty  
 44822 that the President may, at his discretion, (should he at any time  
 44823 be of opinion that the interest of the Indians would be thereby  
 44824 promoted,) direct that any portion of the money, not exceeding

44825 ten thousand dollars per annum, now paid in goods, as provided  
 44826 for by the last clause of the fourth article of the treaty of the  
 44827 first of November, 1837, be applied to the purchase of additional  
 44828 provisions, or to other purposes.

44829 Proclaimed February 4, 1847.

44830 FRANKLIN PIERCE, President of the United States of America,  
 44831 to all and singular to whom these presents shall come, greet-  
 44832 ing:

44833 Whereas a treaty was made and concluded at the city of  
 44834 Washington, on the twenty-seventh day of February, eighteen  
 44835 hundred and fifty-five, by George W. Manypenny, as commis-  
 44836 sioner on the part of the United States, and the following-named  
 44837 chiefs and delegates of the Winnebago tribe of Indians, viz:  
 44838 Waw-kon-chaw-koo-kaw, The Coming Thunder, or Kinnoskik;  
 44839 Sho-go-nik-kaw, or Little Hill; Maw-he-coo sha-naw-zhe-kaw,  
 44840 One that Stands and Reaches the Skies, or Little Decorie;  
 44841 Waw-kon chaw-hoo-no-kaw, or Little Thunder; Hoonk-hoo-no-  
 44842 kaw, Little Chief, or Little Priest; Honch-hutta-kaw, or Big Bear;  
 44843 Watch-ha-ta-kaw, or Big Canoe; Ha-zhum kee-kaw, or One Horn;  
 44844 Ha zee-kaw, or Yellow Bank; and Baptiste Lassallier, they being  
 44845 duly authorized by said tribe; which treaty is in the words fol-  
 44846 lowing, to wit:

44847 Articles of agreement and convention, made and concluded at  
 44848 Washington City on the twenty-seventh day of February,  
 44849 eighteen hundred and fifty-five, between George W. Many-  
 44850 penny, commissioner on the part of the United States, and  
 44851 the following-named chiefs and delegates representing the  
 44852 Winnebago tribe of Indians, viz: Waw-kon-chaw-koo-kaw,  
 44853 The Coming Thunder, or Kinnoshik; Sho-go-nik-kaw, or  
 44854 Little Hill; Maw-he-coo-shah-naw-zhe-kaw, One that Stands  
 44855 and Reaches the Skies, or Little Decorie; Waw-kon-chaw-  
 44856 hoo-no-kaw, or Little Thunder; Hoonk-hoo-no-kaw, Little  
 44857 Chief, or Little Priest; Honch-hutta-kaw, or Big Bear;  
 44858 Wach-ha-ta-kaw, or Big Canoe; Ha-zum-kee-kaw, or One  
 44859 Horn; Ha-zee-kaw, or Yellow Bank; and Baptiste Lassal-  
 44860 lier, they being thereto duly authorized by said tribe.

44861 ARTICLE 1. The Winnebago Indians hereby cede, sell, and  
 44862 convey to the United States all their right, title, and interest in  
 44863 and to the tract of land granted to them pursuant to the third  
 44864 article of the treaty concluded with said tribe at Washington  
 44865 City on the thirteenth day of October, one thousand eight hun-  
 44866 dred and forty-six, (next preceding,) lying north of St. Peter's River  
 44867 and west of the Mississippi River, in the Territory of Minnesota,  
 44868 and estimated to contain about eight hundred and ninety-seven  
 44869 thousand and nine hundred (897,900) acres; the boundary-lines of

44870 which are thus described in the second article of the treaty con-  
 44871 cluded between the United States and the Chippewa Indians of  
 44872 the Mississippi and Lake Superior, on the second day of August,  
 44873 one thousand eight hundred and forty seven, viz: "Beginning  
 44874 at the junction of the Crow Wing and Mississippi Rivers; thence  
 44875 up the Crow Wing River, to the junction of that river with the  
 44876 Long Prairie River; thence up the Long Prairie River to the  
 44877 boundary line between the Sioux and Chippewa Indians; thence,  
 44878 southerly along the said boundary line to a lake at the head of  
 44879 Long Prairie River; thence in a direct line to the sources of  
 44880 the Watab River; thence down the Watab to the Mississippi  
 44881 River; thence up the Mississippi to the place of beginning:"  
 44882 *Provided, however,* That the portions of said tract embracing the  
 44883 improved lands of the Indians, the grist and saw mill, and all  
 44884 other improvements made for or by them, shall be specially re-  
 44885 served from pre-emption, sale, or settlement until the said mills  
 44886 and improvments, including the improvements to the land, shall  
 44887 have been appraised and sold, at public sale, to the highest bid-  
 44888 der, for the benefit of the Indians, but no sale thereof shall be  
 44889 made for less than the appraised value. And the President may  
 44890 prescribe such rules and regulations in relation to said sale as  
 44891 he may deem proper; and the person or persons purchasing said  
 44892 mills and improvements shall have the right, when the land is  
 44893 surveyed, to enter the legal subdivisions thereof, including the  
 44894 improvements purchased by them, at one dollar and twenty-five  
 44895 cents per acre.

44896 ARTICLE 2. In consideration of the cessions aforesaid, and  
 44897 in full compensation therefor, the United States agree to pay to  
 44898 the said Indians the sum of seventy thousand dollars, (\$70,000,)  
 44899 and to grant them, as a permanent home, a tract of land equal  
 44900 to eighteen miles square on the Blue Earth River, in the Terri-  
 44901 tory of Minnesota, which shall be selected and located by the  
 44902 agent of the Government and a delegation of the Winnebagoes  
 44903 immediately after the ratification of this instrument, and after  
 44904 the necessary appropriations to carry it into effect shall have  
 44905 been made; and a report of such selection and location shall be  
 44906 made in writing to the superintendent of Indian affairs for the  
 44907 Territory of Minnesota, who shall attach his official signature to  
 44908 the same, and forward it to the Commissioner of Indian Affairs;  
 44909 and the country thus selected shall be the permanent home of  
 44910 the said Indians: *Provided,* Said tract shall not approach near-  
 44911 er the Minnesota River than the mouth of the La Serrer fork of  
 44912 the Blue Earth River.

44913 ARTICLE 3. It is agreed that the moneys received from the  
 44914 sale of the Indian improvements, as provided for in the first  
 44915 article, and the sum stipulated to be paid by the second article

44916 of this instrument, shall be expended, under the direction of the  
 44917 President, in removing the Indians to their new homes, including  
 44918 those who are now severed from the main body of the tribe,  
 44919 living in Kansas Territory, Wisconsin, or elsewhere; in subsist-  
 44920 ing them a reasonable time after their removal; in making im-  
 44921 provements, such as breaking and fencing land and building  
 44922 houses; in purchasing stock, agricultural implements, and  
 44923 household furniture, and for such other objects as may tend to  
 44924 promote their prosperity and advancement in civilization. And  
 44925 the said Winnebago Indians agree to remove to their new homes  
 44926 immediately after the selection of the tract hereinbefore pro-  
 44927 vided for is made.

44928 ARTICLE 4. In order to encourage the Winnebago Indians  
 44929 to engage in agriculture, and such other pursuits as will con-  
 44930 duce to their well-being and improvement, it is agreed that, at  
 44931 such time or times as the President may deem advisable, the  
 44932 land herein provided to be selected as their future home, or  
 44933 such portions thereof as may be necessary, shall be surveyed;  
 44934 and the President shall, from time to time, as the Indians may  
 44935 desire it, assign to each head of a family, or single persons over  
 44936 twenty-one years of age, a reasonable quantity of land, in one  
 44937 body, not to exceed eighty acres in any case, for their separate  
 44938 use; and he may, at his discretion, as the occupants thereof be-  
 44939 come capable of managing their business and affairs, issue pat-  
 44940 ents to them for the tract so assigned to them, respectively,  
 44941 said tracts to be exempt from taxation, levy, sale, or forfeiture  
 44942 until otherwise provided by the legislature of the State in which  
 44943 they may be situated, with the assent of Congress; nor shall  
 44944 they be sold or alienated, in fee, within fifteen years after the  
 44945 date of the patents, and not then without the assent of the  
 44946 President of the United States being first obtained. Prior to  
 44947 the patents being issued the President shall make such rules  
 44948 and regulations as he may deem necessary and expedient re-  
 44949 specting the disposition of any of said tracts, in case of the  
 44950 death of the person or persons to whom they may be assigned,  
 44951 so that the same shall be secured to the families of such deceased  
 44952 persons; and should any of the Indians to whom tracts may be  
 44953 assigned thereafter abandon them, the President may take such  
 44954 action in relation to such abandoned tracts as in his judgment  
 44955 may be necessary and proper.

44956 ARTICLE 5. All unexpended balances now in the hands of  
 44957 the agent of the tribe, arising under former treaties, for schools,  
 44958 pay of interpreter therefor, support of blacksmiths and assist-  
 44959 ants, and also of the sum of ten thousand dollars set apart by  
 44960 the treaty of October thirteenth, eighteen hundred and forty-six,  
 44961 for manual-labor schools, shall be expended and applied in the

44962 opening of farms, building and furnishing of houses, and the  
 44963 purchase of stock for said Indians. And the stipulations in for-  
 44964 mer treaties providing for the application or expenditure of par-  
 44965 ticular sums of money for specific purposes are hereby so far  
 44966 modified and changed as to confer upon the President the power,  
 44967 in his discretion, to cause such sums of money, in whole or in  
 44968 part, to be expended for or applied to such other objects and  
 44969 purposes and in such manner as he shall deem best calculated  
 44970 to promote the welfare and improvement of said Indians.

44971 ARTICLE 6. No part of the moneys stipulated to be paid to  
 44972 the Winnebago Indians by these articles of agreement and con-  
 44973 vention, nor any of the future instalments due and payable un-  
 44974 der former treaties between them and the United States, shall  
 44975 ever be taken, by direction of the chiefs, to pay the debts of in-  
 44976 dividual Indians contracted in their private dealings, known as  
 44977 national or tribal debts.

44978 ARTICLE 7. The missionaries, or other persons who are, by  
 44979 authority of law, now residing on the lands ceded by the first  
 44980 article of this agreement, shall each have the privilege of entering  
 44981 one hundred and sixty acres of the said ceded lands, to include  
 44982 any improvements they may have, at one dollar and twenty-five  
 44983 cents per acre; and such of the mixed-bloods as are heads of fam-  
 44984 ilies, and now have actual residences and improvements of their  
 44985 own in the ceded country, shall each have granted to them, in fee-  
 44986 eighty acres of land, to include their improvements: *Provided,*  
 44987 *however,* That said entries and grants shall in no case be upon,  
 44988 or in any manner interfere with, any of the lands improved by the  
 44989 Government, or by or for the Indians, or on which the agency  
 44990 building, saw and grist mill, or other public or Indian improve-  
 44991 ments have been erected or made.

44992 ARTICLE 8. The laws which have been or may be enacted  
 44993 by Congress regulating trade and intercourse with the Indian  
 44994 tribes shall continue and be in force within the country herein  
 44995 provided to be selected as the future permanent home of the  
 44996 Winnebago Indians; and those portions of said laws which pro-  
 44997 hibit the introduction, manufacture, use of, and traffic in ardent  
 44998 spirits in the Indian country shall continue and be in force  
 44999 within the country herein ceded to the United States until other-  
 45000 wise provided by Congress.

45001 ARTICLE 9. All roads and highways authorized by law, the  
 45002 lines of which may be required to be laid through any part of the  
 45003 country herein provided as the future permanent home of the  
 45004 Winnebago Indians, shall have right of way through the same,  
 45005 a fair and just value of such right being paid to the Indians, in  
 45006 money, to be assessed and determined according to the laws in  
 45007 force for the appropriation of land for such purposes.

45008       ARTICLE 10. The said tribe of Indians, jointly and severally,  
 45009 obligate and bind themselves not to commit any depredation or  
 45010 wrong upon other Indians, or upon citizens of the United States;  
 45011 to conduct themselves at all times in a peaceable and orderly  
 45012 manner; to submit all difficulties between them and other In-  
 45013 dians to the President, and to abide by his decision; to respect  
 45014 and observe the laws of the United States, so far as the same  
 45015 are to them applicable; to settle down in the peaceful pursuits  
 45016 of life; to commence the cultivation of the soil; to educate their  
 45017 children, and to abstain from the use of intoxicating drinks and  
 45018 other vices to which many of them have been addicted. And the  
 45019 President may withhold from such of the Winnebagoes as aban-  
 45020 don their homes and refuse to labor, and from the idle, intem-  
 45021 perate, and vicious, the benefits they may be entitled to under  
 45022 these articles of agreement and convention, or under articles of  
 45023 former treaties, until they give evidences of amendment and be-  
 45024 come settled, and conform to and comply with the stipulations  
 45025 herein provided; or, should they be heads of families, the same  
 45026 may be appropriated, under the direction of the President, to the  
 45027 use and enjoyment of their families.

45028       ARTICLE 11. These articles of agreement and convention  
 45029 shall be in lieu of the "Articles of a convention made and con-  
 45030 cluded between Willis A. Gorman and Johnathan E. Fletcher, on  
 45031 the part of the United States, and the chiefs and head-men of the  
 45032 Winnebago tribe of Indians, on the 6th day of August, A. D.  
 45033 1853," and the amendments of the Senate thereto, as expressed  
 45034 in its resolution of July twenty-first, eighteen hundred and fifty-  
 45035 four, to which amendments the said Winnebago Indians refused  
 45036 to give their assent, which refusal was communicated to the  
 45037 Commissioner of Indian Affairs by the governor of Minnesota  
 45038 Territory on the twenty-fourth of January, eighteen hundred  
 45039 and fifty-five.

45040       ARTICLE 12. The United States will pay the necessary ex-  
 45041 penses incurred by the Winnebago delegates in making their  
 45042 present visit to Washington, while here, and in returning to their  
 45043 homes.

45044       ARTICLE 13. This instrument shall be obligatory on the con-  
 45045 tracting parties as soon as the same shall be ratified by the Presi-  
 45046 dent and the Senate of the United States.

45047       Proclaimed March 23, 1855.

45048 *Treaty between the United States and the Winnebago tribe of In-*  
 45049 *dians, concluded April 15, 1859; ratified by the Senate March*  
 45050 *16, 1861.*

45051

## PROCLAMATION.

45052 ABRAHAM LINCOLN, President of the United States of America,  
 45053 to all and singular to whom these presents shall come, greet-  
 45054 ing :

45055 Whereas a treaty was made and concluded at the city of  
 45056 Washington the fifteenth day of April, eighteen hundred and  
 45057 fifty-nine, by and between Charles E. Mix, commissioner on the  
 45058 part of the United States, and the hereinafter-named chiefs and  
 45059 delegates of the Winnebago tribe of Indians, they being duly  
 45060 authorized thereto by said tribe, which treaty is in the words  
 45061 and figures following, to wit :

45062 Articles of agreement and convention made and concluded at  
 45063 Washington City on the fifteenth day of April, eighteen  
 45064 hundred and fifty-nine, by and between Charles E. Mix,  
 45065 commissioner on the part of the United States, and the fol-  
 45066 lowing-named chiefs and delegates representing the Win-  
 45067 nebago tribes of Indians, viz: Baptiste Lassalleur, Little  
 45068 Hill, Little De-Corie, Prophet, Wakon, Cono-hutta-kau, Big  
 45069 Bear, Rogue, Young Frenchman, One Horn, Yellow Banks,  
 45070 and O-o-kau, they being thereto duly authorized by said  
 45071 tribe.

45072 ARTICLE 1. The Winnebago Indians having now more lands  
 45073 than are necessary for their occupancy and use, and being de-  
 45074 sirous of promoting settled habits of industry and enterprise  
 45075 amongst themselves by abolishing the tenure, in common, by  
 45076 which they now hold their lands, and by assigning limited  
 45077 quantities thereof, in severalty, to the members of the tribe, in-  
 45078 cluding their half or mixed blood relatives now residing with  
 45079 them, to be cultivated and improved for their own individual use  
 45080 and benefit, it is hereby agreed and stipulated that the eastern  
 45081 portion of their present reservation, embracing townships one  
 45082 hundred and six (106) and one hundred and seven, (107,) range  
 45083 twenty-four, (24,) and one hundred and six (106) and one hun-  
 45084 dred and seven, (107,) range twenty-five, (25,) and the two strips  
 45085 of land immediately adjoining them on the east and north, shall  
 45086 be set apart and retained by them for said purposes; and that  
 45087 out of the same there shall be assigned to each head of a family  
 45088 not exceeding eighty acres, and to each male person, eighteen  
 45089 years of age and upwards, without family, not exceeding forty  
 45090 acres of land, to include, in every case, as far as practicable, a  
 45091 reasonable proportion of timber; one hundred and sixty acres  
 45092 of said retained lands in a suitable locality shall also be set

45093 apart and appropriated to the occupancy and use of the agency  
 45094 for said Indians. The lands to be so assigned, including those  
 45095 for the use of the agency, shall be in as regular and compact a  
 45096 body as possible, and so as to admit of a distinct and well-defined  
 45097 exterior boundary, embracing the whole of them and any inter-  
 45098 mediate portions or parcels of land or water not included in or  
 45099 made part of the tracts assigned in severalty. Any such inter-  
 45100 mediate parcels of land and water shall be owned by the Win-  
 45101 nebagoes in common, but in case of increase in the tribe, or  
 45102 other cause rendering it necessary or expedient, the said inter-  
 45103 mediate parcels of land shall be subject to distribution and as-  
 45104 signment, in severalty, in such manner as the Secretary of the  
 45105 Interior shall prescribe and direct. The whole of the lands as-  
 45106 signed or unassigned, in severalty, embraced within the said ex-  
 45107 terior boundary, shall constitute and be known as the Winne-  
 45108 bago reservation, within and over which all laws passed or which  
 45109 may be passed by Congress regulating trade and intercourse  
 45110 with the Indian tribes shall have full force and effect. And no  
 45111 white person, except such as shall be in the employment of the  
 45112 United States, shall be allowed to reside or go upon any portion  
 45113 of said reservation without the written permission of the super-  
 45114 intendent of Indian affairs or of the agent for the tribe. Said  
 45115 division and assignment of lands to the Winnebagoes, in sever-  
 45116 alty, shall be made under the direction of the Secretary of the  
 45117 Interior, and, when approved by him, shall be final and conclu-  
 45118 sive. Certificates shall be issued by the Commissioner of In-  
 45119 dian Affairs for the tracts so assigned, specifying the names of  
 45120 the individuals to whom they have been assigned, respectively,  
 45121 and that they are for the exclusive use and benefit of themselves,  
 45122 their heirs and descendants. And said tracts shall not be alien-  
 45123 ated in fee, leased, or otherwise disposed of except to the United  
 45124 States, or to other members of the tribe, under such rules and  
 45125 regulations as may be prescribed by the Secretary of the Inte-  
 45126 rior; and they shall be exempt from taxation, levy, sale, or for-  
 45127 feiture until otherwise provided for by Congress. Prior to the  
 45128 issue of said certificates, the Secretary of the Interior shall make  
 45129 such rules and regulations as he may deem necessary and expe-  
 45130 dient respecting the disposition of any of said tracts in case of  
 45131 the death of the person or persons to whom they may be as-  
 45132 signed, so that the same shall be secured to the families of such  
 45133 deceased persons; and should any of the Indians to whom tracts  
 45134 shall be assigned abandon them, the said Secretary may take  
 45135 such action in relation to the proper disposition thereof as in his  
 45136 judgment may be necessary and proper.

45137 ARTICLE 2. For the purpose of procuring the means of  
 45138 comfortably establishing the Winnebagoes upon the lands to be

45139 assigned to them in severalty, by building them houses, and by  
 45140 furnishing them with agricultural implements, stock-animals,  
 45141 and other necessary aid and facilities for commencing agricul-  
 45142 tural pursuits under favorable circumstances, the lands em-  
 45143 braced in that portion of their reservation not stipulated to be  
 45144 retained and divided, as aforesaid, shall be sold, under the direc-  
 45145 tion of the Secretary of the Interior, in parcels not exceeding  
 45146 one hundred and sixty acres each, to the highest bidder for cash;  
 45147 the sales to be made upon sealed proposals to be duly invited  
 45148 by public advertisement. And should any of the tracts so to be  
 45149 sold have upon them improvements of any kind which were made  
 45150 by or for the Indians, or for Government purposes, the proposals  
 45151 therefor must state the price for both the land and improve-  
 45152 ments. And if, after assigning to all the members of the tribe  
 45153 entitled thereto their proportions of land in severalty, there shall  
 45154 remain a surplus of that portion of the reservation retained for  
 45155 that purpose, outside of the exterior boundary-line of the lands  
 45156 assigned in severalty, the Secretary of the Interior shall be au-  
 45157 thorized and empowered, whenever he shall think proper, to  
 45158 cause such surplus to be sold in the same manner as the other  
 45159 lands to be so disposed of, and the proceeds thereof to be paid  
 45160 over to the Winnebagoes, or used and applied for their benefit  
 45161 in such manner as he shall deem to be best for them.

45162 ARTICLE 3. The Winnebagoes being anxious to relieve  
 45163 themselves from the burden of their present liabilities, and it  
 45164 being essential to their welfare and best interests that they  
 45165 shall be enabled to commence their new mode of life and pursuits  
 45166 free from the annoyance and embarrassment thereof, or which  
 45167 may be occasioned thereby, it is agreed that the same shall be  
 45168 liquidated and paid out of the fund arising from the sale of their  
 45169 surplus lands, so far as found valid and just on an examination  
 45170 thereof, to be made by their agent and the superintendent of  
 45171 Indian affairs for the northern superintendency, subject to  
 45172 revision and confirmation by the Secretary of the Interior.

45173 ARTICLE 4. Should the proceeds of the surplus lands of the  
 45174 Winnebagoes not prove to be sufficient to carry out the purposes  
 45175 and stipulations of this agreement, and some further aid be, from  
 45176 time to time, requisite, to enable said Indians to sustain them-  
 45177 selves successfully in agricultural and other industrial pursuits,  
 45178 such additional means as may be necessary therefor shall be  
 45179 taken from the moneys due and belonging to them under the  
 45180 provisions of former treaties, and so much thereof as may be  
 45181 required to furnish them further aid, as aforesaid, shall be ap-  
 45182 plied in such manner, under the direction of the Secretary of  
 45183 the Interior, as he shall consider best calculated to promote  
 45184 and advance their improvement and welfare; and, in order to

45185 render unnecessary any further treaty engagements or arrange-  
 45186 ments, hereafter with the United States, it is hereby agreed and  
 45187 stipulated that the President, with the assent of Congress, shall  
 45188 have full power to modify or change any of the provisions  
 45189 of former treaties with the Winnebagoes in such manner and to  
 45190 whatever extent he may judge to be necessary and expedient  
 45191 for their welfare and best interest.

45192 ARTICLE 5. The Winnebagoes, parties to this agreement,  
 45193 are anxious that all the members of their tribe shall participate  
 45194 in the advantages herein provided for respecting their perma-  
 45195 nent settlement and their improvement and civilization, and to  
 45196 that end, to induce all that are now separated from, to rejoin  
 45197 and unite with them. It is therefore agreed that, as soon as  
 45198 practicable, the Commissioner of Indian Affairs shall cause the  
 45199 necessary proceeding to be adopte'd to have them notified of this  
 45200 agreement and its advantages, and to induce them to come in  
 45201 and unite with their brethren; and, to enable them to do so and  
 45202 to sustain themselves for a reasonable time thereafter, such assist-  
 45203 ance shall be provided for them, at the expense of the tribe, as  
 45204 may be actually necessary for those purposes: *Provided, however,*  
 45205 That those who do not rejoin and permanently re-unite them-  
 45206 selves with the tribe within one year from the date of the ratifi-  
 45207 cation of this agreement, shall not be entitled to the benefit of  
 45208 any of its stipulations.

45209 ARTICLE 6. All the expenses connected with and incident  
 45210 to the making of this agreement, and the carrying out of its  
 45211 provisions, shall be defrayed out of the funds of the Winneba-  
 45212 goes.

45213 Proclaimed March 23, 1861.

45214 *Treaty between the United States of America and the Winnebago*  
 45215 *tribe of Indians, concluded March 8, 1865; ratification ad-*  
 45216 *vised, with amendment, February 13, 1866; amendment accepted*  
 45217 *February 20, 1866.*

45218 ANDREW JOHNSON, President of the United States of America,  
 45219 to all and singular to whom these presents shall come, greet-  
 45220 ing:

45221 Whereas a treaty was made and concluded at the city of  
 45222 Washington, in the District of Columbia, on the eighth day of  
 45223 March, in the year of our Lord one thousand eight hundred and  
 45224 sixty-five, by and between William P. Dole, Clark W. Thompson,  
 45225 and St. A. D. Balcombe, commissioners on the part of the United  
 45226 States, and Little Hill, Little Dacoria, Whirling Thunder, Young  
 45227 Prophet, Good Thunder, Young Crane, and White Breast, chiefs

45228 of the Winnebago tribe of Indians, on the part of said tribe of  
 45229 Indians, and duly authorized thereto by them, which treaty is in  
 45230 the words and figures following, to wit :

45231 Articles of treaty made and concluded at Washington, D. C.,  
 45232 between the United States of America, by their commis-  
 45233 sioners, Wm. P. Dole, C. W. Thompson, and St. A. D. Bal-  
 45234 combe, and the Winnebago tribe of Indians, by their chiefs,  
 45235 Little Hill, Little Decoria, Whirling Thunder, Young Pro-  
 45236 phet, Good Thunder, and White Breast, on the 8th day of  
 45237 March, 1865.

45238 ARTICLE 1. The Winnebago tribe of Indians hereby cede,  
 45239 sell, and convey to the United States all their right, title, and  
 45240 interest in and to their present reservation in the Territory of  
 45241 Dakota, at Usher's Landing, on the Missouri River, the metes  
 45242 and bounds whereof being on file in the Indian Department.

45243 ARTICLE 2. In consideration of the foregoing cession, and  
 45244 the valuable improvements thereon, the United States agree to  
 45245 set apart for the occupation and future home of the Winnebago  
 45246 Indians, forever, all that certain tract or parcel of land ceded to  
 45247 the United States by the Omaha tribe of Indians on the sixth  
 45248 day of March, A. D. 1865, (see page 569,) situated in the Ter-  
 45249 ritory of Nebraska, and described as follows, viz: Commencing  
 45250 at a point on the Missouri River four miles due south from the  
 45251 north boundary-line of said reservation; thence west ten miles;  
 45252 thence south four miles; thence west to the western boundary-  
 45253 line of the reservation; thence north to the northern boundary-  
 45254 line; thence east to the Missouri River, and thence south along  
 45255 the river to the place of beginning.

45256 ARTICLE 3. In further consideration of the foregoing ces-  
 45257 sion, and in order that the Winnebagos may be as well situated  
 45258 as they were when they were moved from Minnesota, the United  
 45259 States agree to erect on their reservation, hereby set apart, a  
 45260 good steam saw-mill with a grist-mill attached, and to break and  
 45261 fence one hundred acres of land for each band, and supply them  
 45262 with seed to sow and plant the same, and shall furnish them  
 45263 with two thousand dollars' worth of guns, four hundred horses,  
 45264 one hundred cows, two yoke of oxen and wagons, two chains  
 45265 each, and five hundred dollars' worth of agricultural implements,  
 45266 in addition to those on the reserve hereby ceded.

45267 ARTICLE 4. The United States further agree to erect on said  
 45268 reservation an agency building, school-house, warehouse, and  
 45269 suitable buildings for the physician, interpreter, miller, engineer,  
 45270 carpenter, and blacksmith, and a house 18 by 24 feet, one and  
 45271 a half story high, well shingled and substantially finished, for  
 45272 each chief.

45273 ARTICLE 5. The United States also stipulate and agree to

45274 remove the Winnebago tribe of Indians and their property to  
 45275 their new home, and to subsist the tribe one year after their  
 45276 arrival there.

45277 Proclaimed March 28, 1866.

45278

# WYANDOTS.

45279 *Articles of a treaty made and concluded at Saint Mary's, in the*  
 45280 *State of Ohio, between Lewis Cass, commissioner of the United*  
 45281 *States, thereto specially authorized by the President of the*  
 45282 *United States, and the chiefs and warriors of the Wyandot*  
 45283 *tribe of Indians.*

45284 ARTICLE 1. The Wyandot tribe of Indians hereby cede to  
 45285 the United States all the right reserved to them in two tracts of  
 45286 land in the Territory of Michigan, one including the village  
 45287 called Brownstown, and the other the village called Maguagua,  
 45288 formerly in the possession of the Wyandot tribe of Indians, con-  
 45289 taining in the whole not more than five thousand acres of land ;  
 45290 which two tracts of land were reserved for the use of the said  
 45291 Wyandot tribe of Indians and their descendants, for the term  
 45292 of fifty years, agreeably to the provisions of the act of Congress  
 45293 passed February 28, 1809, and entitled "An act for the relief of  
 45294 certain Alabama and Wyandot Indians."

45295 ARTICLE 2. In consideration of the preceding cession, the  
 45296 United States will reserve for the use of the said Wyandott In-  
 45297 dians, sections numbered twenty-three, twenty-four, twenty-five,  
 45298 twenty-six, thirty-four, thirty-five, thirty-six, twenty-seven, and  
 45299 that part of section numbered twenty-two, which contains eight  
 45300 acres, and lies on the south side of the river Huron, being in  
 45301 the fourth township, south of the base line, and in the ninth  
 45302 range east of the first meridian, in the Territory of Michigan,  
 45303 and containing four thousand nine hundred and ninety-six acres ;  
 45304 and the said tract of land shall be reserved for the use of the  
 45305 said Wyandott Indians and their descendants, and be secured  
 45306 to them in the same manner, and on the same terms and condi-  
 45307 tions as is provided in relation to the Alabama Indians by the  
 45308 first section of the before-mentioned act of Congress, except that  
 45309 the said Wyandott Indians and their descendants shall hold the  
 45310 said land so long as they or their descendants shall occupy the  
 45311 same.

45312 Proclaimed January 7, 1819.

45313 *Treaty between the United States of America and the Wyandott*  
 45314 *Nation of Indians.*

45315 JOHN TYLER, President of the United States of America, to all  
 45316 and singular to whom these presents shall come, greeting :

45317 Whereas a treaty was made and concluded at Upper San-  
 45318 dusky, Crawford County, Ohio, on the seventeenth day of  
 45319 March, in the year of our Lord one thousand eight hundred and  
 45320 forty-two, between John Johnston, commissioner on the part of  
 45321 the United States, and the chiefs, counsellors, and head-men of  
 45322 the Wyandott Nation of Indians, in full council assembled, on  
 45323 the other part ; and

45324 Whereas said treaty having been submitted to the Senate  
 45325 for its constitutional action thereon, the Senate did, on the sev-  
 45326 enteenth day of August, one thousand eight hundred and forty-  
 45327 two, advise and consent to the ratification of said treaty with  
 45328 certain amendments ; and

45329 Whereas the said Indians did, by their chiefs and counsel-  
 45330 lers, in full council assembled, on the sixteenth day of Sep-  
 45331 tember, one thousand eight hundred and forty-two, give their  
 45332 free and voluntary assent to the amendments made by the  
 45333 Senate in the resolution aforesaid ; which treaty, resolution of  
 45334 the Senate making the amendments to said treaty, and the  
 45335 assent of the Indians to said amendments, are in the words  
 45336 following, to wit :

45337 John Tyler, President of the United States of America, by  
 45338 John Johnston, formerly agent for Indian affairs, now a citizen of  
 45339 the State of Ohio, commissioner duly authorized and appointed  
 45340 to treat with the Wyandott Nation of Indians for a cession of all  
 45341 their lands lying and being in the States of Ohio and Michi-  
 45342 gan ; and the duly constituted chiefs, counsellors, and head-men,  
 45343 of the said Wyandott Nation, in full council assembled, on the  
 45344 other part, have entered into the following articles and con-  
 45345 ditions, viz :

45346 ARTICLE 1. The Wyandott Nation of Indians do hereby  
 45347 cede to the United States all that tract of land situate, lying,  
 45348 and being in the county of Crawford and State of Ohio, com-  
 45349 monly known as the residue of the large reserve, being all of  
 45350 their remaining lands within the State of Ohio, and containing  
 45351 one hundred and nine thousand one hundred and forty-four  
 45352 acres, more or less. The said nation also hereby cedes to the  
 45353 United States all their right and title to the Wyandott Reserve,  
 45354 on both sides of the river Huron, in the State of Michigan, con-  
 45355 taining four thousand nine hundred and ninety-six acres, be the  
 45356 same more or less, being all the remaining lands claimed or set  
 45357 apart for the use of the Wyandotts within the State of Michigan :

45358 and the United States hereby promises to pay the sum of five  
 45359 hundred dollars towards the expenses of removing the Indians  
 45360 of the river Huron to Upper Sandusky, but before the latter  
 45361 clause of this article is binding on the contracting parties, the  
 45362 consent of the head-men of the river Huron Wyandotts is to be  
 45363 had in writing.

45364 ARTICLE 2. In consideration of the foregoing cession, the  
 45365 United States hereby grant to the aforesaid Wyandott Nation  
 45366 a tract of land west of the Mississippi River, to contain one  
 45367 hundred and forty-eight thousand acres, and to be located upon  
 45368 any lands owned by the United States, now set apart, or may in  
 45369 future be set apart for Indian use, and not already assigned to  
 45370 any other tribe or nation.

45371 ARTICLE 3. The United States agree to pay the Wyandott  
 45372 Nation a perpetual annuity of seventeen thousand five hundred  
 45373 dollars in specie, the first payment to be made within the present  
 45374 year, 1842, to enable the nation the more speedily to remove to  
 45375 their new home in the West; this includes all former annuities.

45376 ARTICLE 4. The United States agree to make a permanent  
 45377 provision of five hundred dollars per annum, for the support of a  
 45378 school, to be under the direction of the chiefs, and for no other  
 45379 purpose whatever, the first payment to be made three years  
 45380 hence, and afterwards at the payment of the annuity in each  
 45381 succeeding year.

45382 ARTICLE 5. The United States agree to pay the Wyandotts  
 45383 the full value of their improvements in the country hereby ceded  
 45384 by them in Ohio and Michigan, which valuation shall be made  
 45385 by two persons to be appointed by the President of the United  
 45386 States, who shall be sworn faithfully to do justice to the parties,  
 45387 the amount of such valuation to be paid at any time after the  
 45388 1st day of April, 1843, as shall be acceptable to the Wyandott  
 45389 chiefs, to meet their arrangements for emigrating.

45390 ARTICLE 6. The United States hereby agree to pay the  
 45391 debts due by members of the Wyandott Nation to citizens of  
 45392 the United States, amounting to twenty-three thousand eight  
 45393 hundred and sixty dollars, in conformity to a schedule hereto  
 45394 annexed.

45395 ARTICLE 7. The Wyandotts shall be allowed the use and  
 45396 occupancy of their improvements until the 1st of April, 1844, on  
 45397 the condition that they nor any persons claiming or occupying  
 45398 under them by lease or otherwise shall not commit waste or  
 45399 damage on the premises hereby ceded, but this is not to prevent  
 45400 the United States from surveying and selling the land at any  
 45401 time previous to the said 1st day of April, 1844.

45402 ARTICLE 8. The United States engage to provide and sup-  
 45403 port a blacksmith and an assistant blacksmith for the Wyandott

45404 Nation, and to furnish annually a sufficient quantity of iron,  
 45405 steel, coal, files, tools, and all other things necessary and proper  
 45406 in such an establishment, and to erect a suitable shop and house  
 45407 or houses for the residence of the blacksmith and his assistant.

45408 ARTICLE 9. The United States engage to maintain and sup-  
 45409 port a sub-agent and interpreter to reside among the Wyandotts  
 45410 to aid them in the protection of their persons and property, and  
 45411 to manage their intercourse with the Government and citizens  
 45412 of the United States.

45413 ARTICLE 10. The buildings and farm occupied by the mis-  
 45414 sion of the Methodist Episcopal Church shall remain in posses-  
 45415 sion of the present incumbents until the 1st day of April, 1844,  
 45416 and permission is hereby given to harvest and remove the crop  
 45417 of fall-grain which may be then sown.

45418 ARTICLE 11. All persons identified as members of the  
 45419 Wyandott Nation, and their heirs, and who may emigrate to the  
 45420 west, shall participate equally in the benefits of the annuity, and  
 45421 all other national privileges, and it is expressly understood that  
 45422 those who do not emigrate, and any that may hereafter cease to  
 45423 remain with the nation, will not be entitled to the benefits and  
 45424 privileges aforesaid.

45425 ARTICLE 12. Whereas by the 8th article of the treaty of  
 45426 Miami Rapids of September 29th, 1817, (proclaimed January  
 45427 4, 1819; see page 197,) there was granted unto Horonu, or  
 45428 Cherokee Boy, a Wyandott chief, one section of land, to contain  
 45429 six hundred and forty acres; and whereas the said Horonu did  
 45430 during his life-time sell and convey to James Whitaker one  
 45431 quarter-section of said land, containing 160 acres, which sale was  
 45432 confirmed by the President of the United States. The said  
 45433 Horonu died in the month of March, 1826, having by his last  
 45434 will bequeathed the remaining three quarter-sections, contain-  
 45435 ing 480 acres, to Squeendehtee and Sooharress, or Isaac Wil-  
 45436 liams, they being the nearest of kin to the deceased, now to the  
 45437 intent that the purposes of the testator may be fully complied  
 45438 with, it is hereby agreed the 480 acres of land, as aforesaid,  
 45439 shall be immediately sold under the directions of the President  
 45440 of the United States, and the nett proceeds, after deducting all  
 45441 expenses, be paid over to the heirs aforesaid.

45442 ARTICLE 13. The chiefs of the Wyandott Nation hereby  
 45443 agree to remove their whole people to the west of the Missis-  
 45444 sippi River without any other cost to the United States than  
 45445 the sum of ten thousand dollars; five thousand dollars of which  
 45446 is to be paid the said chiefs when the first detachment of their  
 45447 people sets out on their journey to the west, and the remaining  
 45448 five thousand dollars on the arrival of the whole nation at the  
 45449 place of their destination in the west.

45450 ARTICLE 14. The United States agree to grant by patent  
 45451 in fee-simple to each of the following-named persons, and their  
 45452 heirs all of whom are Wyandotts by blood or adoption, one sec-  
 45453 tion of land of six hundred and forty acres each, out of any lands  
 45454 west of the Missonri River set apart for Indian use, not already  
 45455 claimed or occupied by any person or tribe, viz: Silas Armstrong,  
 45456 John M. Armstrong, Matthew R. Walker, William Walker, Joel  
 45457 Walker, Charles B. Garrett, George Garrett, George J. Clark,  
 45458 Irwin P. Long, Ethan A. Long, Joseph L. Tennery, Robert  
 45459 Robertaile, Jared S. Dawson, Joseph Newell, John T. Walker,  
 45460 Peter D. Clark, James Rankin, Samuel McCulloch, Elliot Mc-  
 45461 Culloch, Isaiah Walker, William M. Tennery, Henry Clay  
 45462 Walker, Ebenezer Z. Reed, and Joel Walker Garrett, and to the  
 45463 following chiefs and councillors one section each: Francis A.  
 45464 Hicks, James Washington, Squeendehtee, Henry Jaques, Tau-  
 45465 roonee, Doctor Grey Eyes, George Armstrong, Warpole, John  
 45466 Hicks, Peacock, and George Punch. The lands hereby granted  
 45467 to be selected by the grantees, surveyed and patented at the  
 45468 expense of the United States, but never to be conveyed by them  
 45469 or their heirs without the permission of the President of the  
 45470 United States.

45471 ARTICLE 15. The United States agree to pay to William  
 45472 Walker and Joel Walker, each, the sum of two hundred and  
 45473 fifty dollars, and to John M. Armstrong the sum of one hundred  
 45474 and fifty dollars, for services rendered as interpreters in the pro-  
 45475 gress of the negotiation; and to Warpole, a former chief of the  
 45476 Wyandott Nation, one hundred and fifty dollars, money ex-  
 45477 pended by him as one of the party who accompanied Joseph  
 45478 McCutchen, a former commissioner of the United States, to the  
 45479 city of Washington in September, 1839.

45480 ARTICLE 16. In the year 1812 the houses, barns, stables,  
 45481 fences, horses, cattle, and hogs, with farming utensils and house-  
 45482 hold furniture, to a large amount, the property of the late Will-  
 45483 iam Walker, of Brownstown, in the Territory of Michigan, was  
 45484 destroyed by the enemy while in the occupancy of the United  
 45485 States forces; and by reason of his attachment to the cause of  
 45486 his country, being a native citizen, taken prisoner in early life  
 45487 by the Wyandott Indians, intermarried, and ever afterward liv-  
 45488 ing among them, the evidence of all which is ample and con-  
 45489 clusive. There is therefore granted unto Catharine Walker,  
 45490 widow of the said William Walker, and to his heirs, the sum of  
 45491 three thousand dollars, in full satisfaction of their claim, to be  
 45492 paid by the United States to her or them after the ratification  
 45493 of this treaty.

45494 ARTICLE 17. There shall be reserved from sale, and forever  
 45495 devoted to public use, two acres of ground as near as can be in

45496 a square form, to include the stone meeting-house and burying-  
 45497 ground near to and north of Upper Sandusky, one acre to in-  
 45498 clude the burying-ground on the bank near the council-house at  
 45499 Upper Sandusky, and one-half acre to include the burying-ground  
 45500 on the farm of Silas Armstrong, which several lots of ground  
 45501 shall forever remain open and free to all persons for the purpose  
 45502 of interment and houses of worship, and for no other purposes  
 45503 whatever.

45504 ARTICLE 18. This treaty shall take effect and be obligatory  
 45505 on the contracting parties as soon as the same shall be ratified  
 45506 by the President of the United States, by and with the advice  
 45507 and consent of the Senate thereof.

45508 Proclaimed October 5, 1842.\*

45509 TREATY WITH THE WYANDOT INDIANS.

45510 *Articles of a convention concluded in the city of Washington this*  
 45511 *first day of April, one thousand eight hundred and fifty, by*  
 45512 *and between Ardavan S. Loughery, commissioner especially ap-*  
 45513 *pointed by the President of the United States, and the under*  
 45514 *signed head chief and deputies of the Wyandot tribe of Indians,*  
 45515 *duly authorized and empowered to act for their tribe.*

45516 Whereas by the treaty of March 17, 1842, (proclaimed  
 45517 October 5, 1842; see preceding treaty,) between the United  
 45518 States and the Wyandot Nation of Indians, then chiefly re-  
 45519 siding within the limits of the State of Ohio, the said nation  
 45520 of Indians agreed to sell and transfer, and did thereby sell and  
 45521 transfer, to the United States their reservations of land, one hun-  
 45522 dred and nine thousand acres of which was in the State of Ohio,  
 45523 and six thousand acres was in the State of Michigan, and to re-  
 45524 move to the west of the Mississippi River; and

45525 Whereas among other stipulations it was agreed that the  
 45526 United States should convey to said Indians a tract of country  
 45527 for their permanent settlement in the Indian Territory west of  
 45528 the Mississippi River, to contain one hundred an [and] forty-eight  
 45529 thousand acres of land; and

45530 Whereas the said Indians never did receive the said one  
 45531 hundred and forty-eight thousand acres of land from the United  
 45532 States, but were forced to purchase lands from the Delaware  
 45533 Nation of Indians, which purchase was agreed to and ratified  
 45534 by the United States:

45535 Now, in order to settle the claim of the Wyandot tribe of  
 45536 Indians to said land, the United States having appointed A. S.

45537 Loughery a commissioner on their part, who, with the under-  
 45538 signed delegates from the Wyandot Nation, have agreed to the  
 45539 following treaty :

45540       ARTICLE 1. The United States, in consideration that the  
 45541 Wyandot Nation of Indians shall and do hereby release, relin-  
 45542 quish, and give up all claim to the said one hundred and forty-  
 45543 eight thousand acres of land agreed to be assigned and given  
 45544 to them by the treaty of March 17, 1842, hereby stipulate and  
 45545 agree to pay to the said Wyandot tribe of Indians the sum of  
 45546 one hundred and eighty-five thousand dollars, being at and after  
 45547 the rate of one dollar and twenty-five cents per acre, in the man-  
 45548 ner and form following, to wit: One hundred thousand dollars  
 45549 to be invested in United States stocks, bearing five per cent. in-  
 45550 terest per annum, which interest shall be paid to them at the  
 45551 time and in the manner in which their present annuities are  
 45552 paid ; and for the purpose of enabling the Wyandot Indians to  
 45553 pay and extinguish all their just debts, as well what is now due  
 45554 to the Delawares for the purchase of their lands as to others,  
 45555 the balance of said sum, being the sum of eighty-five thousand  
 45556 dollars, shall be paid to the Wyandot Nation, or on their drafts,  
 45557 specifically describing for what the drafts are given.

45558       ARTICLE 2. All the reasonable expenses attending the ne-  
 45559 gotiation of this treaty, including a reasonable allowance for the  
 45560 expenses of the delegation, signers hereto, in coming to Wash-  
 45561 ington, whilst here on the business connected herewith, and in  
 45562 returning to their nation, shall be defrayed by the United States.

45563       Proclaimed December 30, 1850.

45564       FRANKLIN PIERCE, President of the United States of Amer-  
 45565 ica, to all and singular to whom these presents shall come,  
 45566 greeting :

45567       Whereas a treaty was made and concluded at the city of  
 45568 Washington on the thirty-first day of January, in the year of our  
 45569 Lord one thousand eight hundred and fifty-five, by George W.  
 45570 Manypenny, as commissioner on the part of the United States,  
 45571 and the following-named chiefs and delegates of the Wyandott  
 45572 tribe of Indians, viz: Tan-roo-mee, Matthew Mudeater, John  
 45573 Hicks, Silas Armstrong, George J. Clark, and Joel Walker,  
 45574 they being thereto duly authorized by said tribe, which treaty is  
 45575 in the words following, to wit:

45576       Articles of agreement and convention made and concluded at  
 45577 the city of Washington on the thirty-first day of January,  
 45578 one thousand eight hundred and fifty-five, by George W.  
 45579 Manypenny, as commissioner on the part of the United  
 45580 States, and the following-named chiefs and delegates of the  
 45581 Wyandott tribe of Indians, viz: Tan-roo-mee, Matthew

45582 Mudeator, John Hicks, Silas Armstrong, George J. Clark,  
 45583 and Joel Walker, they being thereto duly authorized by said  
 45584 tribe.

45585 ARTICLE 1. The Wyandott Indians having become suffi-  
 45586 ciently advanced in civilization, and being desirous of becoming  
 45587 citizens, it is hereby agreed and stipulated that their organiza-  
 45588 tion and their relations with the United States as an Indian  
 45589 tribe shall be dissolved and terminated on the ratification of  
 45590 this agreement, except so far as the further and temporary  
 45591 continuance of the same may be necessary in the execution of  
 45592 some of the stipulations herein; and from and after the date of  
 45593 such ratification the said Wyandott Indians, and each and every  
 45594 of them, except as hereinafter provided, shall be deemed, and  
 45595 are hereby declared, to be citizens of the United States, to all  
 45596 intents and purposes, and shall be entitled to all the rights,  
 45597 privileges, and immunities of such citizens; and shall in all re-  
 45598 spects be subject to the laws of the United States and of the  
 45599 Territory of Kansas in the same manner as other citizens of  
 45600 said Territory; and the jurisdiction of the United States and  
 45601 of said Territory shall be extended over the Wyandott country  
 45602 in the same manner as over other parts of said Territory. But  
 45603 such of the said Indians as may so desire, and make application  
 45604 accordingly to the commissioners hereinafter provided for, shall  
 45605 be exempt from the immediate operation of the preceding pro-  
 45606 visions extending citizenship to the Wyandott Indians, and  
 45607 shall have continued to them the assistance and protection of  
 45608 the United States and an Indian agent in their vicinity for  
 45609 such a limited period or periods of time, according to the cir-  
 45610 cumstances of the case, as shall be determined by the Commis-  
 45611 sioner of Indian Affairs; and on the expiration of such period  
 45612 or periods the said exemption, protection, and assistance shall  
 45613 cease; and said persons shall then, also, become citizens of the  
 45614 United States, with all the rights and privileges, and subject to  
 45615 the obligations above stated and defined.

45616 ARTICLE 2. The Wyandott Nation hereby cede and relin-  
 45617 quish to the United States all their right, title, and interest in  
 45618 and to the tract of country situate in the fork of the Missouri  
 45619 and Kansas Rivers, which was purchased by them of the Dela-  
 45620 ware Indians, by an agreement dated the fourteenth day of  
 45621 December, one thousand eight hundred and forty-three, and  
 45622 sanctioned by a joint resolution of Congress approved July  
 45623 twenty-fifth, one thousand eight hundred and forty-eight, the  
 45624 object of which cession is, that the said lands shall be subdivided,  
 45625 assigned, and reconveyed, by patent, in fee-simple, in the manner  
 45626 hereinafter provided for, to the individuals and members of the  
 45627 Wyandott Nation, in severalty, except as follows, viz: The por-

45628 tion now enclosed and used as a public burying-ground shall be  
 45629 permanently reserved and appropriated for that purpose; two  
 45630 acres, to include the church-building of the Methodist Episcopal  
 45631 Church, and the present burying-ground connected therewith,  
 45632 are hereby reserved, granted, and conveyed to that church; and  
 45633 two acres, to include the church-building of the Methodist Epis-  
 45634 copal Church, South, are hereby reserved, granted, and conveyed  
 45635 to said church. Four acres, at and adjoining the Wyandott  
 45636 ferry, across and near the mouth of the Kansas River, shall also  
 45637 be reserved, and, together with the rights of the Wyandotts in  
 45638 said ferry, shall be sold to the highest bidder among the Wyandott  
 45639 people, and the proceeds of sale paid over to the Wyandotts.  
 45640 On the payment of the purchase-money in full, a good and  
 45641 sufficient title to be secured and conveyed to the purchaser by  
 45642 patent from the United States.

45643 ARTICLE 3. As soon as practicable after the ratification of  
 45644 this agreement the United States shall cause the lands ceded in  
 45645 the preceding article to be surveyed into sections, half and  
 45646 quarter sections, to correspond with the public surveys in the  
 45647 Territory of Kansas; and three commissioners shall be appointed,  
 45648 one by the United States and two by the Wyandott council,  
 45649 whose duty it shall be to cause any additional surveys to be  
 45650 made that may be necessary, and to make a fair and just division  
 45651 and distribution of the said lands among all the individuals and  
 45652 members of the Wyandott tribe, so that those assigned to or  
 45653 for each shall, as nearly as possible, be equal in quantity, and  
 45654 also in value, irrespective of the improvements thereon; and the  
 45655 division and assignment of the lands shall be so made as to  
 45656 include the houses, and, as far as practicable, the other improve-  
 45657 ments, of each person or family, be in as regular and compact  
 45658 a form as possible, and include those for each separate family  
 45659 altogether. The judgment and decision of said commissioners  
 45660 on all questions connected with the division and assignment of  
 45661 said lands shall be final.

45662 On the completion of the division and assignment of the  
 45663 lands as aforesaid, said commissioners shall cause a plat and  
 45664 schedule to be made, showing the lands assigned to each family  
 45665 or individual, and the quantity thereof. They shall also make  
 45666 up carefully prepared lists of all the individuals and members  
 45667 of the Wyandott tribe—those of each separate family being  
 45668 arranged together—which lists shall exhibit, separately, first,  
 45669 those families, the heads of which the commissioners, after due  
 45670 inquiry and consideration, shall be satisfied are sufficiently  
 45671 intelligent, competent, and prudent to control and manage their  
 45672 affairs and interests, and also all persons without families.

45673 Second, those families the heads of which are not competent

45674 and proper persons to be entrusted with their shares of the  
 45675 money payable under this agreement; and, third, those who  
 45676 are orphans, idiots, or insane. Accurate copies of the lists of  
 45677 the second and third of the above classes shall be furnished by  
 45678 the commissioners to the Wyandott council; whereupon said  
 45679 council shall proceed to appoint or designate the proper person  
 45680 or persons to be recognized as the representatives of those of  
 45681 the second class, for the purpose of receiving and properly  
 45682 applying the sums of money due and payable to or for them, as  
 45683 hereinafter provided, and also those who are to be entrusted  
 45684 with the guardianship of the individuals of the third class, and  
 45685 the custody and management of their rights and interests; the  
 45686 said acts or proceedings of the council, duly authenticated, to  
 45687 be forwarded to the Commissioner of Indian Affairs, and filed in  
 45688 his office; and the same shall be annually revised by the said  
 45689 council, until the payment of the last instalment of the moneys  
 45690 payable to the Wyandotts under this agreement, and such change  
 45691 or changes made therein as may, from casualties or otherwise,  
 45692 become necessary; such revisions and changes, duly authen-  
 45693 ticated, to be communicated to, and subject to the approval of  
 45694 the Commissioner of Indian Affairs.

45695 The said commissioners shall likewise prepare a list of all  
 45696 such persons and families among the Wyandott people as  
 45697 may apply to be temporarily exempted from citizenship and  
 45698 for continued protection and assistance from the United States  
 45699 and an Indian agent, as provided for in the first article of  
 45700 this agreement. The agent through and by whom such pro-  
 45701 tection and assistance is to be furnished shall be designated  
 45702 by the Commissioner of Indian Affairs.

45703 The aforesaid plat and schedule and lists of persons, duly  
 45704 authenticated by the commissioners, shall be forwarded to the  
 45705 Commissioner of Indian Affairs and filed in his office, and  
 45706 copies of the said plat and schedule and of the list of per-  
 45707 sons temporarily exempted from citizenship and entitled to  
 45708 the continued protection and assistance of the United States  
 45709 and an Indian agent, duly attested by the commissioners,  
 45710 shall be filed by them in each of the offices of the secretary  
 45711 of the territory of Kansas and the clerk of the county in  
 45712 which the Wyandott lands are situated.

45713 ARTICLE 4. On the receipt, by the Commissioner of Indian  
 45714 Affairs, of the plat and schedule, lists of persons, and of the  
 45715 first proceedings of the Wyandott council, mentioned in the  
 45716 next preceding article, patents shall be issued by the General  
 45717 Land-Office of the United States, under the advisement of the  
 45718 Commissioner of Indian Affairs, to the individuals of the Wyandott  
 45719 tribe, for the lands severally assigned to them, as provided

45720 for in the third article of this agreement, in the following man-  
 45721 ner, to wit: To those reported by the commissioners to be com-  
 45722 petent to be entrusted with the control and management of their  
 45723 affairs and interests, the patents shall contain an absolute and  
 45724 unconditional grant in fee-simple, and shall be delivered to  
 45725 them by the Commissioner of Indian Affairs as soon as they  
 45726 can be prepared and recorded in the General Land-Office; but  
 45727 to those not so competent the patents shall contain an express  
 45728 condition that the lands are not to be sold or alienated for a  
 45729 period of five years, and not then without the express consent  
 45730 of the President of the United States first being obtained; and  
 45731 the said patents may be withheld by the Commissioner of Indian  
 45732 Affairs so long as, in his judgment, their being so withheld  
 45733 may be made to operate beneficially upon the character and con-  
 45734 duct of the individuals entitled to them.

45735 None of the lands to be thus assigned and patented to the  
 45736 Wyandotts shall be subject to taxation for a period of five  
 45737 years from and after the organization of a State government  
 45738 over the territory where they reside; and those of the incompe-  
 45739 tent classes shall not be aliened or released for a longer period  
 45740 than two years, and shall be exempt from levy, sale, or forfeit-  
 45741 ure, until otherwise provided by State legislation, with the as-  
 45742 sent of Congress.

45743 ARTICLE 5. Disinterested persons, not to exceed three,  
 45744 shall be appointed by the Commissioner of Indian Affairs, to  
 45745 make a just and fair appraisement of the parsonage houses, and  
 45746 other improvements connected therewith, on the Wyandott lands  
 45747 belonging to the Methodist Episcopal Church and the Methodist  
 45748 Episcopal Church South, the amounts of which appraisements  
 45749 shall be paid to the said churches, respectively, by the individual  
 45750 or individuals of the Wyandott tribe to whom the lands on  
 45751 which said houses and improvements are shall have been as-  
 45752 signed under the provisions of this agreement; said payments  
 45753 to be made within a reasonable time, in one or more instalments,  
 45754 to be determined by said appraisers; and, until made in full, no  
 45755 patent or other evidence of title to the lands so assigned to said  
 45756 individual or individuals shall be issued or given to them.

45757 ARTICLE 6. The Wyandott Nation hereby relinquish and  
 45758 release the United States from all their rights and claims to an-  
 45759 nuity, school moneys, blacksmith establishments, assistance and  
 45760 materials, employment of an agent for their benefit, or any other  
 45761 object or thing of a national character, and from all the stipula-  
 45762 tions and guarantees of that character, provided for or contained  
 45763 in former treaties, as well as from any and all other claims or  
 45764 demands whatsoever, as a nation, arising under any treaty or  
 45765 transaction between them and the Government of the United

States. In consideration of which release and relinquishment the United States hereby agree to pay to the Wyandott Nation the sum of three hundred and eighty thousand dollars, to be equally distributed and paid to all the individuals and members of the said nation, in three annual instalments, payable in the months of October, commencing the present year; the shares of the families whose heads the commissioners shall have decided not to be competent or proper persons to receive the same, and those of orphans, idiots, and insane persons, to be paid to and receipted for by the individuals designated or appointed by the Wyandott council to act as their representatives and guardians.

Such part of the annuity, under the treaty of one thousand eight hundred and forty-two, as shall have accrued, and may remain unpaid at the date of the payment of the first of the above-mentioned instalments, shall then be paid to the Wyandotts, and be in full and a final discharge of said annuity.

ARTICLE 7. The sum of one hundred thousand dollars, invested under the treaty of one thousand eight hundred and fifty, together with any accumulation of said principal sum, shall be paid over to the Wyandotts, in like manner with the three hundred and eighty thousand dollars mentioned in the next preceding article, but in two equal annual instalments, commencing one year after the payment of the last instalment of said above-mentioned sum. In the mean time the interest on the said invested fund, and on any accumulation thereof, together with the amount which shall be realized from the disposition of the ferry and the land connected therewith, the sale of which is provided for in the second article of this agreement, shall be paid over to the Wyandott council, and applied and expended, by regular appropriation of the legislative committee of the Wyandott Nation, for the support of schools, and for other purposes of a strictly national or public character.

ARTICLE 8. The persons to be included in the apportionment of the lands and money to be divided and paid under the provisions of this agreement shall be such only as are actual members of the Wyandott Nation, their heirs and legal representatives, at the date of the ratification hereof, and as are entitled to share in the property and funds of said nation, according to the laws, usages, and customs thereof.

ARTICLE 9. It is stipulated and agreed that each of the individuals to whom reservations were granted by the fourteenth article of the treaty of March seventeenth, one thousand eight hundred and forty-two, or their heirs or legal representatives, shall be permitted to select and locate said reservation on any Government lands west of the States of Missouri and Iowa, sub-

45812 ject to pre-emption and settlement, said reservations to be pat-  
 45813 ented by the United States, in the names of the reservees, as  
 45814 soon as practicable after the selections are made; and the res-  
 45815 ervees, their heirs or proper representatives, shall have the un-  
 45816 restricted right to sell and convey the same whenever they may  
 45817 think proper; but, in cases where any of said reservees may not  
 45818 be sufficiently prudent and competent to manage their affairs in  
 45819 a proper manner, which shall be determined by the Wyandott  
 45820 council, or where any of them have died leaving minor heirs,  
 45821 the said council shall appoint proper and discreet persons to act  
 45822 for such incompetent persons and minor heirs in the sale of the  
 45823 reservations, and the custody and management of the proceeds  
 45824 thereof, the persons so appointed to have full authority to sell  
 45825 and dispose of the reservations in such cases, and to make and  
 45826 execute a good and valid title thereto.

45827       The selections of said reservations, upon being reported to  
 45828 the surveyor-general of the district in which they are made,  
 45829 shall be entered upon the township plats and reported, without de-  
 45830 lay, to the Commissioner of the General Land-Office, and patents  
 45831 issued to the reservees accordingly. And any selection of, set-  
 45832 tlement upon, or claim to, land included in any of said reserva-  
 45833 tions made by any other person or persons after the same shall  
 45834 have been selected by the reservees, their heirs, or legal repre-  
 45835 sentatives, shall be null and void.

45836       ARTICLE 10. It is expressly understood that all the ex-  
 45837 penses connected with the subdivision and assignment of the  
 45838 Wyandott lands, as provided for in the third article hereof, or  
 45839 with any other measure or proceeding which shall be necessary  
 45840 to carry out the provisions of this agreement, shall be borne  
 45841 and defrayed by the Wyandotts, except those of the survey of  
 45842 the lands into sections, half and quarter sections, the issue of  
 45843 the patents, and the employment of the commissioner to be ap-  
 45844 pointed by the United States, which shall be paid by the United  
 45845 States.

45846       ARTICLE 11. This instrument shall be obligatory on the con-  
 45847 tracting parties whenever the same shall be ratified by the Presi-  
 45848 dent and the Senate of the United States.

45849       Proclaimed March 1, 1855.

45850

## WYANDOTS IN OHIO.

45851 *Articles of a treaty made and concluded between John A. Bryan,*  
 45852 *commissioner on the part of the United States, and William*  
 45853 *Walker, John Barnett, and Peacock, chiefs and principal men*  
 45854 *of the Wyandot tribe of Indians in Ohio, acting for and on*  
 45855 *behalf of the said tribe.*

45856 ARTICLE 1. The Wyandot tribe of Indians in Ohio cede to  
 45857 the United States a strip of land five miles in extent on the  
 45858 east end of their reservation in Crawford County, in said State ;  
 45859 also one section of land lying in Cranberry Swamp, on Broken  
 45860 Sword Creek, being the one mile square specified and set forth  
 45861 in the treaty made with the said tribe on the twenty-ninth day  
 45862 of September, in the year of our Lord one thousand eight hun-  
 45863 dred and seventeen, (proclaimed January 4, 1819, see page 199;)   
 45864 also one hundred and sixty acres of land which is to be re-  
 45865 ceived in the place and stead of an equal quantity set apart in  
 45866 a supplemental treaty made with the said Indians on the seven-  
 45867 teenth day of September in the following year, all situate and  
 45868 being in the said county of Crawford.

45869 ARTICLE 2. The said five-mile tract, as also the additional  
 45870 quantities herein set forth, are each to be surveyed as other pub-  
 45871 lic lands are surveyed by the surveyor-general, and to be sold  
 45872 at such time and place, allowing sixty days' notice of the sale,  
 45873 as the President may direct.

45874 ARTICLE 3. A register and receiver shall be appointed by  
 45875 the President and Senate, in accordance with the wishes of the  
 45876 delegation of chiefs, whose duties shall be similar to those of  
 45877 other registers and receivers. They shall receive such com-  
 45878 pensation for services rendered, not exceeding five dollars per  
 45879 day for every day necessarily employed in the discharge of their  
 45880 duties, as the President may determine.

45881 ARTICLE 4. All expenses incurred in the execution of this  
 45882 treaty, and in the sale of the lands included in it, shall be de-  
 45883 frayed out of the funds raised therefrom, including such expenses  
 45884 and disbursements as may have been incurred by the delegation  
 45885 to Washington, and such allowance to individuals who have as-  
 45886 sisted in the negotiation as the chiefs in council, after a full and  
 45887 fair investigation, may adjudge to be reasonable and just, shall  
 45888 in all cases be made.

45889 ARTICLE 5. Such portion of the monies, not exceeding  
 45890 twenty thousand dollars, arising from the sales as the chiefs  
 45891 may deem necessary for the rebuilding of mills, repair and im-  
 45892 provement of roads, establishing schools, and other laudable

45893 public objects for the improvement of their condition, shall be  
 45894 properly applied under their direction, and the remainder to be  
 45895 distributed among the individuals of said tribe as annuities are  
 45896 distributed.

45897 ARTICLE 6. The monies raised by the sales of the lands for  
 45898 all the above-mentioned objects, except the last, shall be paid  
 45899 by the receiver on the order of the chiefs; and such order, to-  
 45900 gether with the receipt of the persons to whom payment shall  
 45901 be made, shall be the proper voucher for the final settlement of  
 45902 the accounts of the receiver; but the funds for the tribe shall  
 45903 be distributed by the register and receiver to each person enti-  
 45904 tled thereto.

45905 ARTICLE 7. By the 21st article of the treaty concluded at  
 45906 the foot of the rapids of the Miami of Lake Erie, dated the  
 45907 twenty-ninth day of September, in the year one thousand eight  
 45908 hundred and seventeen, (see page 197,) and the schedule  
 45909 thereunto attached, there was granted to Daonquot, or Half  
 45910 King; Rontondee, or Warpole; Tayarrontoyea, or Between the  
 45911 Logs; Danwautout, or John Hicks; Mononcue, or Thomas;  
 45912 Tayondottaush, or George Punch; Hondaua-waugh, or Mat-  
 45913 thews, chiefs of the Wyandot Nation, two sections of land each  
 45914 within the Wyandot reservation. The aforesaid chiefs, their  
 45915 heirs or legal representatives, are entitled to and allowed one  
 45916 section of land each in the above designated tract of five miles  
 49917 to be selected by them previous to sale, and the same shall be  
 45918 sold as the other lands are sold, and they allowed to receive the  
 45919 respective sums arising from said sale.

45920 ARTICLE 8. If during the progress of the sale the Indians  
 45921 are not satisfied with the prices at which the lands sell, the reg-  
 45922 ister and receiver shall, on the written application of the chiefs,  
 45923 close the sale, and report the proceedings to the War Depart-  
 45924 ment, and the President may appoint such other time for the  
 45925 sale as he may deem proper.

45926 ARTICLE 9. The President shall give such directions as he  
 45927 may judge necessary for the execution of this treaty, through  
 45928 the proper Departments of the Government.

45929 Proclaimed May 16, 1836.

45930 WYANDOTS OF BIG SPRING, CRAWFORD COUNTY,  
 45931 OHIO.

45932 *Articles of agreement and convention made and concluded at Mc-*  
 45933 *Cutcheonsville, Crawford County, Ohio, on the nineteenth day*  
 45934 *of January, 1832, by and between James B. Gardiner, specially*

45935 *appointed commissioner on the part of the United States, and*  
 45936 *the chiefs, head-men, and warriors of the band of Wyandots*  
 45937 *residing at the Big Spring, in said county of Crawford, and*  
 45938 *owning a reservation of 16,000 acres at that place.*

45939 Whereas the said band of Wyandots have become fully con-  
 45940 vinced that whilst they remain in their present situation in the  
 45941 State of Ohio, in the vicinity of a white population, which is  
 45942 continually increasing and crowding around them, they cannot  
 45943 prosper and be happy, and the morals of many of their people  
 45944 will be daily becoming more and more vitiated, and under-  
 45945 standing that the Government of the United States is willing  
 45946 to purchase the reservation of land on which they reside, and  
 45947 for that purpose have deputed the said James B. Gardiner as  
 45948 special commissioner to treat for a cession of the same: There-  
 45949 fore, to effect the aforesaid objects, the said chiefs, head-men,  
 45950 and warriors, and the said James B. Gardiner, have this day  
 45951 entered into and agreed upon the following articles of conven-  
 45952 tion:

45953 ARTICLE 1. The band of Wyandots residing at the Big  
 45954 Spring, in the county of Crawford, and State of Ohio, do hereby  
 45955 forever cede and relinquish to the United States the reservation  
 45956 of sixteen thousand acres of land, granted to them by the sec-  
 45957 ond article of the treaty made at St. Mary's, on the seventeenth  
 45958 day of September, eighteen hundred and eighteen, (proclaimed  
 45959 January 7, 1819; see next treaty,) which grant is in the follow-  
 45960 ing words, to wit: "There shall be reserved for the use of the  
 45961 Wyandots residing at Solomon's Town and on Blanchard's Fork  
 45962 sixteen thousand acres of land, to be laid off in a square form,  
 45963 on the head of Blanchard's Fork, the centre of which shall be at  
 45964 the Big Spring, on the road leading from Upper Sandusky to  
 45965 Fort Findlay."

45966 ARTICLE 2. The United States stipulate with the said band  
 45967 of Wyandots that, as soon as practicable after the ratification  
 45968 of this treaty, the aforesaid tract of sixteen thousand acres shall  
 45969 be surveyed into sections, and put into market, and sold in the  
 45970 ordinary manner of selling the public lands of the United States;  
 45971 and when the same shall be sold, or as soon as any part thereof  
 45972 shall be disposed of, (be the price received therefor more or less,)  
 45973 there shall be paid to the chiefs, head-men, and warriors sign-  
 45974 ing this treaty, for the benefit of all the said band of Wyandots,  
 45975 the sum of one dollar and twenty-five cents per acre for each  
 45976 and every acre so sold or for sale. The said price shall be paid  
 45977 in silver, and in the current coin of the United States.

45978 ARTICLE 3. For the improvements now made upon said  
 45979 reservation the United States agree to pay a fair valuation in

45980 money according to the appraisement of Joseph McCutcheon,  
 45981 esq., (or such person as the Secretary of War may depute for  
 45982 that purpose,) and an appraiser to be chosen by the said band of  
 45983 Wyandots. And in case the said appraisers shall not be able  
 45984 to agree upon any of their valuations, they shall call to their  
 45985 assistance some competent citizen of the county of Crawford.

45986 ARTICLE 4. There shall [be] reserved for Ro-nu-nas, one  
 45987 of the oldest chiefs of said band, one half section, to contain  
 45988 three hundred and twenty acres, and to include the improve-  
 45989 ments where he now lives.

45990 ARTICLE 5. It is expressly understood between the present  
 45991 contracting parties that the said band of Wyandots may, as  
 45992 they think proper, remove to Canada or to the river Huron, in  
 45993 Michigan, where they own a reservation of land, or to any place  
 45994 they may obtain a right or privilege from other Indians to go.

45995 ARTICLE 6. Inasmuch as the band of Wyandots herein  
 45996 treating have separated themselves from the Wyandots at  
 45997 Upper Sandusky and on Sandusky plains, they ask of the  
 45998 General Government that there may be a special sub agent and  
 45999 protector appointed for them whilst they remain in the State of  
 46000 Ohio, and they respectfully recommend Joseph McCutcheon,  
 46001 esq., of the county of Crawford, as a fit and proper person to act  
 46002 in such capacity; and that he may have the power to employ  
 46003 such interpreter as he may think proper in his intercourse with  
 46004 said band.

46005 Proclaimed April 6, 1832.

46006 WYANDOTS, DELAWARES, SHAWNOESE, ETC.

46007 *A treaty of peace and friendship between the United States of*  
 46008 *America and the tribes of Indians called the Wyandots, Dela-*  
 46009 *wares, Shawnoese, Senecas, and Miamies.*

46010 The said United States of America, by William Henry  
 46011 Harrison, late a major-general in the Army of the United States,  
 46012 and Lewis Cass, governor of the Michigan Territory, duly au-  
 46013 thorised and appointed commissioners for the purpose, and the  
 46014 said tribes by their head-men, chiefs, and warriors assembled  
 46015 at Greenville, in the State of Ohio, have agreed to the following  
 46016 articles, which, when ratified by the President of the United  
 46017 States, by and with the advice and consent of the Senate there-  
 46018 of, shall be binding upon them and the said tribes :

46019 ARTICLE 1. The United States and the Wyandots, Dela-  
 46020 wares, Shawnoese, and Senecas give peace to the Miami Nation

of Indians, formerly designated as the Miami del River and Wea tribes; they extend this indulgence also to the bands of the Putawatimies, which adhere to the Grand Sachem Tobinipee, and to the chief Onoxa, to the Ottawas of Blanchard's Creek, who have attached themselves to the Shawanoese tribe, and to such of the said tribe as adhere to the chief called the Wing, in the neighborhood of Detroit, and to the Kickapoos, under the direction of their chiefs who sign this treaty.

ARTICLE 2. The tribes and bands above mentioned engage to give their aid to the United States in prosecuting the war against Great Britain and such of the Indian tribes as still continue hostile, and to make no peace with either without the consent of the United States. The assistance herein stipulated for is to consist of such a number of their warriors from each tribe as the President of the United States, or any officer having his authority therefor, may require.

ARTICLE 3. The Wyandot tribe, and the Senecas of Sandusky and Stony Creek, the Delaware and Shawanoese tribes, who have preserved their fidelity to the United States throughout the war, again acknowledge themselves under the protection of the said States, and of no other power whatever; and agree to aid the United States in the manner stipulated for in the former article, and to make no peace but with the consent of the said States.

ARTICLE 4. In the event of a faithful performance of the conditions of this treaty, the United States will confirm and establish all the boundaries between their lands and those of the Wyandots, Delawares, Shawanoese, and Miamies as they existed previously to the commencement of the war.

Proclaimed December 21, 1814.

#### WYANDOTS, SENECA, SHAWNESE, AND OTTAWAS.

*Articles of a treaty made and concluded at St. Mary's, in the State of Ohio, between Lewis Cass and Duncan McArthur, commissioners of the United States, with full power and authority to hold conferences, and conclude and sign a treaty or treaties, with all or any of the tribes or nations of Indians within the boundaries of the state of Ohio, of and concerning all matters interesting to the United States and the said nations of Indians, and the sachems, chiefs, and warriors of the Wyandot, Seneca, Shawnese, and Ottawa tribes of Indians; being supplementary to the treaty made and concluded with the said tribes, and the Delaware, Potawatomie, and Chippewa tribes of Indians, at the foot of the rapids of the Miami of Lake Erie, on the twenty-*

46064 *ninth day of September, in the year of our Lord one thousand*  
 46065 *eight hundred and seventeen.*

46066 ARTICLE 1. It is agreed between the United States and  
 46067 the parties hereunto that the several tracts of land described  
 46068 in the treaty to which this is supplementary, and agreed thereby  
 46069 to be granted by the United States to the chiefs of the respect-  
 46070 ive tribes named therein, for the use of the individuals of the  
 46071 said tribes, and also the tract described in the twentieth article  
 46072 of the said treaty, shall not be thus granted, but shall be ex-  
 46073 cepted from the cession made by the said tribes to the United  
 46074 States, reserved for the use of the said Indians, and held by  
 46075 them in the same manner as Indian reservations have been  
 46076 heretofore held. But [it] is further agreed that the tracts thus  
 46077 reserved shall be reserved for the use of the Indians named in  
 46078 the schedule to the said treaty, and held by them and their heirs  
 46079 forever, unless ceded to the United States.

46080 ARTICLE 2. It is also agreed that there shall be reserved  
 46081 for the use of the Wyandots, in addition to the reservations be-  
 46082 fore made, fifty-five thousand six hundred and eighty acres of  
 46083 land, to be laid off in two tracts, the first to adjoin the south  
 46084 line of the section of six hundred and forty acres of land hereto-  
 46085 fore reserved for the Wyandot chief, the Cherokee Boy, and to  
 46086 extend south to the north line of the reserve of twelve miles  
 46087 square, at Upper Sandusky, and the other to adjoin the east  
 46088 line of the reserve of twelve miles square at Upper Sandusky,  
 46089 and to extend east for quantity.

46090 There shall also be reserved for the use of the Wyandots  
 46091 residing at Solomon's Town, and on Blanchard's Fork, in addi-  
 46092 tion to the reservations before made, sixteen thousand acres of  
 46093 land, to be laid off in a square form, on the head of Blanchard's  
 46094 Fork, the centre of which shall be at the Big Spring, on the  
 46095 trace leading from Upper Sandusky to Fort Findlay, and one  
 46096 hundred and sixty acres of land, for the use of the Wyandots,  
 46097 on the west side of the Sandusky River, adjoining the said river,  
 46098 and the lower line of two sections of land, agreed by the treaty,  
 46099 to which this is supplementary, to be granted to Elizabeth  
 46100 Whitaker.

46101 There shall also be reserved for the use of the Shawnese,  
 46102 in addition to the reservations before made, twelve thousand  
 46103 eight hundred acres of land, to be laid off adjoining the east  
 46104 line of their reserve of ten miles square at Wapaughkonetta;  
 46105 and for the use of the Shawnese and Senecas, eight thousand  
 46106 nine hundred and sixty acres of land, to be laid off adjoining  
 46107 the west line of the reserve of forty-eight square miles at Lewis-  
 46108 town. And the last reserve hereby made, and the former reserve  
 46109 at the same place, shall be equally divided by an east and west

46110 line, to be drawn through the same. And the north half of the  
 46111 said tract shall be reserved for the use of the Senecas who reside  
 46112 there, and the south half for the use of the Shawnese who reside  
 46113 there.

46114 There shall also be reserved for the use of the Senecas, in  
 46115 addition to the reservations before made, ten thousand acres of  
 46116 land, to be laid off on the east side of the Sandusky River, ad-  
 46117 joining the south line of their reservation of thirty thousand  
 46118 acres of land, which begins on the Sandusky River, at the lower  
 46119 corner of William Spicer's section, and excluding therefrom the  
 46120 said William Spicer's section.

46121 ARTICLE 3. It is hereby agreed that the tracts of land,  
 46122 which by the eighth article of the treaty to which this is sup-  
 46123plementary, are to be granted by the United States to the per-  
 46124sons therein mentioned, shall never be conveyed, by them or  
 46125their heirs, without the permission of the President of the United  
 46126States.

46127 ARTICLE 4. The United States agree to pay to the Wyandots  
 46128an additional annuity of five hundred dollars, forever; to  
 46129the Shawnese, and to the Senecas of Lewistown, an additional  
 46130annuity of one thousand dollars, forever; and to the Senecas  
 46131an additional annuity of five hundred dollars, forever; and to the  
 46132Ottawas an additional annuity of one thousand five hundred dol-  
 46133lars, forever. And these annuities shall be paid at the places,  
 46134and in the manner prescribed by the treaty to which this is  
 46135supplementary.

46136 ARTICLE 5. This treaty shall take effect, and be obligatory  
 46137on the contracting parties as soon as the same shall be ratified  
 46138by the President of the United States, by and with the advice  
 46139and consent of the Senate thereof.

46140 Proclaimed January 4, 1819.

46141 WYANDOTS, SENECA, AND SHAWNEES.

46142 *Articles of agreement and convention, made and concluded at Lewis-*  
 46143 *town, in the county of Logan, and State of Ohio, on the twen-*  
 46144 *tieth day of July, in the year of our Lord one thousand eight*  
 46145 *hundred and thirty-one, by and between James B. Gardiner,*  
 46146 *specially appointed commissioner on the part of the United*  
 46147 *States, and John McElrain, Indian agent for the Wyandots,*  
 46148 *Senecas, and Shawnees, on the one part, and the undersigned*  
 46149 *principal chiefs and warriors of the mixed band of Seneca and*  
 46150 *Shawnee Indians residing at and around the said Lewistown,*  
 46151 *of the other part, for the cession of the lands now owned and*

46152           *occupied by said band, lying on the waters of the Great Miami*  
 46153           *River, and within the territorial limits of the organized county*  
 46154           *of Logan, in said State of Ohio.*

46155           Whereas the President of the United States, under the  
 46156           authority of the act of Congress approved May 28th, 1830, has  
 46157           appointed a special commissioner to confer with the different  
 46158           Indian tribes residing within the constitutional limits of the  
 46159           State of Ohio, and to offer for their acceptance the provisions  
 46160           contained in the before-recited act; and whereas the mixed  
 46161           band or tribes of Seneca and Shawnee Indians residing at and  
 46162           around Lewistown in said State have expressed their perfect  
 46163           assent to the conditions of said act, and their willingness and  
 46164           anxiety to remove west of the Mississippi River, in order to  
 46165           obtain a more permanent and advantageous home for themselves  
 46166           and their posterity: Therefore, in order to carry into effect the  
 46167           aforesaid objects, the following articles have been agreed upon  
 46168           by the aforesaid contracting parties; which, when approved by  
 46169           the President and ratified by the Senate of the United States,  
 46170           shall be mutually binding upon the United States and the said  
 46171           Seneca and Shawnee Indians.

46172           ARTICLE 1. The Seneca and Shawnee Indians, residing at  
 46173           and around Lewistown in the State of Ohio, in consideration of  
 46174           the stipulations herein made on the part of the United States,  
 46175           do forever cede, release, and quit-claim to the United States  
 46176           the lands granted to them by patent in fee-simple by the sixth  
 46177           article of the treaty made at the foot of the rapids of the Miami  
 46178           River of Lake Erie, on the twenty-ninth day of September, in the  
 46179           year 1817, (see page 197,) containing forty-eight square miles, and  
 46180           described in said treaty as follows: "Beginning at the intersection  
 46181           of the line run by Charles Roberts in the year one thousand eight  
 46182           hundred and twelve, from the source of the Little Miami River,  
 46183           to the source of the Scioto River, in pursuance of instructions  
 46184           from the commissioners appointed on the part of the United  
 46185           States to establish the western boundary of the Virginia mili-  
 46186           tary reservation, with the Indian boundary-line established by  
 46187           the treaty of Greenville in one thousand seven hundred and  
 46188           ninety-five from the crossings above Fort Lawrence to Laramie's  
 46189           Store, and to run from such intersection, northerly, with the first-  
 46190           mentioned line, so as to include the quantity as nearly in a square  
 46191           form as practicable, after excluding the section of land granted to  
 46192           Nancy Stewart." And the said Senecas and Shawnees also  
 46193           cede to the United States, in manner aforesaid, one other tract  
 46194           of land, reserved for them by the second article of the treaty  
 46195           made at St. Mary's, in Ohio, on the seventeenth of September,  
 46196           in the year 1818, (preceding treaty,) which tract is described in  
 46197           said treaty as follows: "Eight thousand nine hundred and sixty

46198 acres to be laid off adjoining the west line of the reserve of forty-  
46199 eight square miles at Lewistown."

46200 ARTICLE 2. In consideration of the cessions stipulated in  
46201 the foregoing article the United States agree to cause the said  
46202 band of Senecas and Shawnees, consisting of about three hun-  
46203 dred souls, to be removed in a convenient and suitable manner  
46204 to the western side of the Mississippi River, and will grant by  
46205 patent, in fee-simple, to them and their heirs forever, as long as  
46206 they shall exist as a nation and remain on the same, a tract of  
46207 land to contain sixty thousand acres, to be located under the  
46208 direction of the President of the United States, contiguous to  
46209 the lands granted to the Senecas of Sandusky by the treaty  
46210 made with them at the city of Washington, on the 28th of Feb-  
46211 ruary, 1831, and the Cherokee settlement. The east line of said  
46212 tract shall be within two miles of the west line of the lands  
46213 granted to the Senecas of Sandusky, and the south line shall  
46214 be within two miles of the north line of the lands held by the  
46215 Cherokees; and said two miles between the aforesaid lines, shall  
46216 serve as a common passway between the before-mentioned tribes  
46217 to prevent them from intruding upon the lands of each other.

46218 ARTICLE 3. The United States will defray the expense of  
46219 the removal of the said Senecas and Shawnees, and will more-  
46220 over supply them with a sufficiency of good and wholesome pro-  
46221 visions to support them for one year after their arrival at their  
46222 new residence.

46223 ARTICLE 4. Out of the first sales to be made of the lands  
46224 herein ceded by the said Senecas and Shawnees, the United  
46225 States will cause a saw-mill and a blacksmith shop to be erected  
46226 on the lands granted to the said Indians west of the Mississippi,  
46227 with all necessary machinery and tools, to be supported and  
46228 kept in operation at the expense of the United States, for the  
46229 mutual and sole benefit of the said Senecas and Shawnees, and  
46230 the United States will employ a blacksmith to execute the nec-  
46231 essary work for the said Indians for such time as the President  
46232 of the United States, in his discretion, may think proper.

46233 ARTICLE 5. In lieu of the improvements which have been  
46234 made on the lands herein ceded, it is agreed that the United  
46235 States shall advance to the said Senecas and Shawnees the sum  
46236 of six thousand dollars, to be re-imbursed from the sales of the  
46237 lands herein ceded by them to the United States. A fair and  
46238 equitable distribution of this sum shall be made by the chiefs  
46239 of the said Senecas and Shawnees, with the consent of their  
46240 tribes in general council assembled, to such individuals of the  
46241 tribes as, having left improvements, may be properly entitled to  
46242 the same.

46243 ARTICLE 6. The live stock, farming utensils, and other chat-

46244 tel property, which the said Senecas and Shawnees now own, and  
 46245 may not be able to carry with them, shall be sold under the  
 46246 superintendence of some suitable person appointed by the Secre-  
 46247 tary of War, and the proceeds paid over to owners of such prop-  
 46248 erty respectively.

46249 ARTICLE 7. The said Senecas and Shawnees shall be re-  
 46250 moved to their new residence under the care and protection of  
 46251 some competent and proper person, friendly to them and ac-  
 46252 quainted with their habits, manners, and customs; and the chiefs  
 46253 of the said tribes shall have the privilege of nominating such  
 46254 person to the President, who, if approved of by him, shall have  
 46255 charge of their conveyance.

46256 ARTICLE 8. The United States will expose to public sale to  
 46257 the highest bidders, in the manner of selling the public lands,  
 46258 the tracts of land herein ceded by the Senecas and Shawnees;  
 46259 and after deducting from the proceeds of such sale the sum of  
 46260 seventy cents per acre, exclusive of the cost of surveying the  
 46261 lands, the cost of the saw-mill and blacksmith shop, and the sum of  
 46262 six thousand dollars to be advanced in lieu of the improvements  
 46263 on the ceded lands, it is agreed that any balance which may re-  
 46264 main of the lands after sale as aforesaid, shall constitute a fund  
 46265 for the future necessities of said tribes, on which the Government  
 46266 of the United States agree and consent to pay to the chiefs for  
 46267 the use and general benefit of the said tribes annually, five per  
 46268 cent. on the amount of the said balance as an annuity. Said fund  
 46269 to be continued during the pleasure of Congress, unless the  
 46270 chiefs of the said tribes, by and with the consent of the whole of  
 46271 their people in general council assembled, should desire that the  
 46272 fund thus to be created shall be dissolved and paid over to  
 46273 them, in which case the President shall cause the same to be  
 46274 paid over, if in his discretion he shall think the happiness and  
 46275 prosperity of said tribes would be promoted thereby.

46276 ARTICLE 9. It is agreed that any annuities accruing to the  
 46277 said Senecas and Shawnees by former treaties shall be paid to  
 46278 them at their intended residence west of the Mississippi, under  
 46279 the direction of the President.

46280 ARTICLE 10. In consideration of the former good conduct  
 46281 and friendly disposition of the aforesaid band of Senecas and  
 46282 Shawnees towards the American Government, and as an earnest  
 46283 of the kind feelings and good wishes of their Great Father for  
 46284 the future welfare and happiness of themselves and their pos-  
 46285 terity, it is agreed that the United States will give them, as  
 46286 presents, the following articles, to wit: one hundred blankets,  
 46287 twenty ploughs, one hundred hoes, fifty axes, ten rifles, twenty  
 46288 sets of horse gears, and Russia sheeting sufficient to make forty  
 46289 tents; the whole to be delivered to them as soon as practicable

46290 after their arrival at their new residence, except the blankets  
 46291 and the Russia sheeting for the tents, which shall be given at  
 46292 the time of their setting out on their journey; all of said articles  
 46293 to be distributed by the chiefs according to the just claims and  
 46294 necessities of their people.

46295 ARTICLE 11. The lands granted by this agreement and con-  
 46296 vention to the said band of Senecas and Shawnees shall not be  
 46297 sold or ceded by them except to the United States. And the  
 46298 United States guarantee that said lands shall never be within  
 46299 the bounds of any State or Territory, nor subject to the laws  
 46300 thereof; and further, that the President of the United States will  
 46301 cause said tribes to be protected at their new residence against  
 46302 all interruption or disturbance from any other tribe or nation  
 46303 of Indians, or from any other person or persons whatever; and  
 46304 he shall have the same care and superintendence over them in  
 46305 the country to which they may design to remove, that he has  
 46306 heretofore had over them at their present place of residence.

46307 ARTICLE 12. At the request of the chiefs of the Senecas and  
 46308 Shawnees, there is granted to James McPherson one half section  
 46309 of land, to contain three hundred and twenty acres, to be laid off  
 46310 in such part of the lands here ceded as he may select, so that  
 46311 the said half section shall adjoin the land heretofore donated to  
 46312 him near the southeast corner of that part of the lands herein  
 46313 ceded which was assigned to the Shawnees by the second article  
 46314 of the treaty made at St. Mary's, on the 17th of September,  
 46315 1818. And this grant was made in consideration of the sincere  
 46316 attachment of the said chiefs and their people for the said James  
 46317 McPherson, who has lived among them and near them for forty  
 46318 years, and from whom they have received numerous and valuable  
 46319 services and benefits; and also in consideration of the able and  
 46320 candid manner in which he has explained to the Indians the  
 46321 policy of the United States in regard to the future welfare and  
 46322 permanent settlement of the Indian tribes.

46323 ARTICLE 13. At the request of the aforesaid chiefs, there is  
 46324 hereby granted to Henry H. McPherson, an adopted son of their  
 46325 nation, a half section of land, to contain three hundred and  
 46326 twenty acres, to be added to a half section of land granted to  
 46327 him by the said chiefs on the 20th day of March, 1821, and ap-  
 46328 proved by the President of the United States, which is to be  
 46329 so laid off as to enlarge the last-mentioned grant to a square sec-  
 46330 tion.

46331 ARTICLE 14. At the special request of the aforesaid chiefs,  
 46332 one quarter section of land, to contain one hundred and sixty  
 46333 acres, is hereby granted to Martin Lane, their interpreter, who  
 46334 married a quarter-blood Indian woman, and has lived a long  
 46335 time among the Senecas. The said quarter section is to be

46336 located under the direction of the President of the United  
46337 States.

46338 ARTICLE 15. It is understood and agreed by the present con-  
46339 tracting parties that the words "the lands heretofore donated to  
46340 him" in the twelfth article of this treaty, have direct and sole  
46341 reference to a *verbal* donation heretofore made by the said Sene-  
46342 cas and Shawnees to the said McPherson, and that the intention  
46343 is that this treaty should confirm the former as well as the latter  
46344 grant, so that the said McPherson is entitled to one whole sec-  
46345 tion to be located in the southeast corner of the Shawnee part  
46346 of the lands herein ceded as aforesaid.

46347 Proclaimed April 6, 1832.

46348

# YAKAMAS.

46349 *Treaty between the United States and the Yakama Nation of*  
46350 *Indians, concluded at Camp Stevens, Walla-Walla Valley,*  
46351 *June 9, 1855; ratified by the Senate March 8, 1859.*

46352 JAMES BUCHANAN, President of the United States of America,  
46353 to all and singular to whom these presents shall come, greet-  
46354 ing :

46355 Whereas a treaty was made and concluded at the treaty-  
46356 ground, Camp Stevens, Walla-Walla Valley, on the ninth day of  
46357 June, in the year one thousand eight hundred and fifty-five, be-  
46358 tween Isaac I. Stevens, governor and superintendent of Indian  
46359 affairs for the Territory of Washington, on the part of the  
46360 United States, and the hereinafter-named head chief, chiefs,  
46361 head-men, and delegates of the Yakama, Palouse, Pisquouse,  
46362 Wenatshapam, Klikatat, Klinquit, Kow-was-say-ee, Li-ay-was,  
46363 Skin-pah, Wish-ham, Shyiks, Oche-chotes, Kah-milt-pah, and  
46364 Se-ap-cat, confederate tribes and bands of Indians, occupying  
46365 lands lying in Washington Territory, who, for the purposes of  
46366 this treaty, are to be considered as one nation, under the name  
46367 of "Yakama," with Kamaiakun as its head chief, on behalf of  
46368 and acting for said bands and tribes, and duly authorized thereto  
46369 by them; which treaty is in the words and figures following, to  
46370 wit :

46371 Articles of agreement and convention made and concluded at  
46372 the treaty-ground, Camp Stevens, Walla-Walla Valley, this  
46373 ninth day of June, in the year one thousand eight hundred  
46374 and fifty-five, by and between Isaac I. Stevens, governor  
46375 and superintendent of Indian affairs for the Territory of  
46376 Washington, on the part of the United States, and the  
46377 undersigned head chief, chiefs, head-men, and delegates of

46378 the Yakama, Palouse, Pisquouse, Wenatshapam, Klikatat,  
 46379 Klinkuit, Kow-was-say-ee, Li-ay-was, Skin-pah, Wish-ham,  
 46380 Shyiks, Oche-chotes, Kah-milt-pah, and Se-ap-cat, confeder-  
 46381 ated tribes and bands of Indians, occupying lands herein-  
 46382 after bounded and described, and lying in Washington  
 46383 Territory, who for the purposes of this treaty are to be con-  
 46384 sidered as one nation, under the name of "Yakama," with  
 46385 Kamaiakun as its head chief, on behalf of and acting for  
 46386 said tribes and bands, and being duly authorized thereto by  
 46387 them.

46388 ARTICLE 1. The aforesaid confederated tribes and bands of  
 46389 Indians hereby cede, relinquish, and convey to the United States  
 46390 all their right, title, and interest in and to the lands and country  
 46391 occupied and claimed by them, and bounded and described as  
 46392 follows, to wit: Commencing at Mount Ranier; thence northerly  
 46393 along the main ridge of the Cascade Mountains to the point  
 46394 where the northern tributaries of Lake Che-lan and the southern  
 46395 tributaries of the Methow River have their rise; thence south-  
 46396 easterly on the divide between the waters of Lake Che-lan  
 46397 and the Methow River to the Columbia River; thence crossing  
 46398 the Columbia on a true east course to a point whose longitude  
 46399 is one hundred and nineteen degrees and ten minutes, ( $119^{\circ} 10'$ ),  
 46400 which two latter lines separate the above confederated tribes  
 46401 and bands from the Oakinakane tribe of Indians; thence in a  
 46402 true south course to the forty-seventh ( $47^{\circ}$ ) parallel of latitude;  
 46403 thence east on said parallel to the main Palouse River, which  
 46404 two latter lines of boundary separate the above confederated  
 46405 tribes and bands from the Spokanes; thence down the Palouse  
 46406 River to its junction with the Moh-hah-ne-she or southern tribu-  
 46407 tary of the same; thence in a southeasterly direction to the Snake  
 46408 River at the mouth of the Tucannon River, separating the above  
 46409 confederated tribes from the Nez Percé tribe of Indians; thence  
 46410 down the Snake River to its junction with the Columbia River;  
 46411 thence up the Columbia River to the "White Banks" below the  
 46412 Priest's Rapids; thence westerly to a lake called "La Lac;"  
 46413 thence southerly to a point on the Yakama River called Toh-  
 46414 mah-luke; thence in a southwesterly direction to the Columbia  
 46415 River, at the western extremity of the "Big Island," between  
 46416 the mouths of the Umatilla River and Butler Creek; all which  
 46417 latter boundaries separate the above confederated tribes and  
 46418 bands from the Walla-Walla, Cayuse, and Umatilla tribes and  
 46419 bands of Indians; thence down the Columbia River to midway  
 46420 between the mouths of White Salmon and Wind Rivers; thence  
 46421 along the divide between said rivers to the main ridge of the  
 46422 Cascade Mountains; and thence along said ridge to the place of  
 46423 beginning.

46424 ARTICLE 2. There is, however, reserved from the lands  
 46425 above ceded for the use and occupation of the aforesaid con-  
 46426 federated tribes and bands of Indians, the tract of land included  
 46427 within the following boundaries, to wit: Commencing on the  
 46428 Yakama River, at the mouth of the Attah-nam River; thence  
 46429 westerly along said Attah-nam River to the forks; thence along  
 46430 the southern tributary to the Cascade Mountains; thence south-  
 46431 erly along the main ridge of said mountains, passing south and  
 46432 east of Mount Adams, to the spur whence flows the waters of the  
 46433 Klickitat and Pisco Rivers; thence down said spur to the divide  
 46434 between the waters of said rivers; thence along said divide to  
 46435 the divide separating the waters of the Satass River from those  
 46436 flowing into the Columbia River; thence along said divide to  
 46437 the main Yakama, eight miles below the mouth of the Satass  
 46438 River; and thence up the Yakama River to the place of begin-  
 46439 ning.

46440 All which tract shall be set apart and, so far as necessary,  
 46441 surveyed and marked out, for the exclusive use and benefit of  
 46442 said confederated tribes and bands of Indians, as an Indian res-  
 46443 ervation; nor shall any white man, excepting those in the employ-  
 46444 ment of the Indian Department, be permitted to reside upon the  
 46445 said reservation without permission of the tribe and the super-  
 46446 intendent and agent. And the said confederated tribes and  
 46447 bands agree to remove to and settle upon the same within one  
 46448 year after the ratification of this treaty. In the mean time it  
 46449 shall be lawful for them to reside upon any ground not in the  
 46450 actual claim and occupation of citizens of the United States; and  
 46451 upon any ground claimed or occupied, if with the permission of  
 46452 the owner or claimant.

46453 Guaranteeing, however, the right to all citizens of the United  
 46454 States to enter upon and occupy as settlers any lands not actu-  
 46455 ally occupied and cultivated by said Indians at this time, and  
 46456 not included in the reservation above named.

46457 *And provided*, That any substantial improvements hereto-  
 46458 fore made by any Indian, such as fields enclosed and cultivated,  
 46459 and houses erected upon the lands hereby ceded, and which he  
 46460 may be compelled to abandon in consequence of this treaty, shall  
 46461 be valued, under the direction of the President of the United  
 46462 States, and payment made therefor in money; or improvements  
 46463 of an equal value made for said Indian upon the reservation.  
 46464 And no Indian will be required to abandon the improvements  
 46465 aforesaid, now occupied by him, until their value in money or  
 46466 improvements of an equal value shall be furnished him as afore-  
 46467 said.

46468 ARTICLE 3. *And provided*, That, if necessary for the public  
 46469 convenience, roads may be run through the said reservation;

46470 and on the other hand, the right of way, with free access from  
 46471 the same to the nearest public highway, is secured to them ; as  
 46472 also the right, in common with citizens of the United States, to  
 46473 travel upon all public highways.

46474 The exclusive right of taking fish in all the streams, where  
 46475 running through or bordering said reservation, is further secured  
 46476 to said confederated tribes and bands of Indians, as also the  
 46477 right of taking fish at all usual and accustomed places, in  
 46478 common with the citizens of the Territory, and of erecting tem-  
 46479 porary buildings for curing them ; together with the privilege of  
 46480 hunting, gathering roots and berries, and pasturing their horses  
 46481 and cattle upon open and unclaimed land.

46482 ARTICLE 4. In consideration of the above cession, the  
 46483 United States agree to pay to the said confederated tribes and  
 46484 bands of Indians, in addition to the goods and provisions distrib-  
 46485 uted to them at the time of signing this treaty, the sum of two  
 46486 hundred thousand dollars, in the following manner, that is to say :  
 46487 Sixty thousand dollars, to be expended under the direction of the  
 46488 President of the United States the first year after the ratifica-  
 46489 tion of this treaty, in providing for their removal to the reserva-  
 46490 tion, breaking up and fencing farms, building houses for them,  
 46491 supplying them with provisions and a suitable outfit, and for  
 46492 such other objects as he may deem necessary, and the remainder in  
 46493 annuities as follows : For the first five years after the ratification  
 46494 of the treaty, ten thousand dollars each year, commencing Sep-  
 46495 tember first, 1856 ; for the next five years, eight thousand dollars  
 46496 each year ; for the next five years, six thousand dollars per year ;  
 46497 and for the next five years, four thousand per year.

46498 All which sums of money shall be applied to the use and  
 46499 benefit of said Indians under the direction of the President of  
 46300 the United States, who may from time to time determine, at his  
 46301 discretion, upon what beneficial objects to expend the same for  
 46302 them. And the superintendent of Indian affairs, or other proper  
 46303 officer, shall each year inform the President of the wishes of the  
 46304 Indians in relation thereto.

46305 ARTICLE 5. The United States further agree to establish at  
 46306 suitable points within said reservation, within one year after the  
 46307 ratification hereof, two schools, erecting the necessary buildings,  
 46308 keeping them in repair, and providing them with furniture, books  
 46309 and stationery, one of which shall be an agricultural and indus-  
 46310 trial school, to be located at the agency, and to be free to the  
 46311 children of the said confederated tribes and bands of Indians,  
 46312 and to employ one superintendent of teaching and two teachers ;  
 46313 to build two blacksmiths' shops, to one of which shall be attached  
 46314 a tin-shop, and to the other a gunsmith's shop ; one carpenter's  
 46315 shop, one wagon and plough maker's shop, and to keep the same

46516 in repair and furnished with the necessary tools; to employ one  
 46517 superintendent of farming and two farmers, two blacksmiths,  
 46518 one tinner, one gunsmith, one carpenter, one wagon and plough  
 46519 maker, for the instruction of the Indians in trades and to assist  
 46520 them in the same; to erect one saw-mill and one flouring-mill,  
 46521 keeping the same in repair and furnished with the necessary  
 46522 tools and fixtures; to erect a hospital, keeping the same in repair  
 46523 and provided with the necessary medicines and furniture, and  
 46524 to employ a physician; and to erect, keep in repair, and provided  
 46525 with the necessary furniture, the building required for the accom-  
 46526 modation of the said employees. The said buildings and estab-  
 46527 lishments to be maintained and kept in repair as aforesaid, and  
 46528 the employees to be kept in service for the period of twenty  
 46529 years.

46530 And in view of the fact that the head chief of the said con-  
 46531 federated tribes and bands of Indians is expected, and will be  
 46532 called upon to perform many services of a public character,  
 46533 occupying much of his time, the United States further agree to  
 46534 pay to the said confederated tribes and bands of Indians five  
 46535 hundred dollars per year, for the term of twenty years after the  
 46536 ratification hereof, as a salary for such person as the said con-  
 46537 federated tribes and bands of Indians may select to be their  
 46538 head chief, to build for him at a suitable point on the reserva-  
 46539 tion a comfortable house, and properly furnish the same, and to  
 46540 plough and fence ten acres of land. The said salary to be paid  
 46541 to, and the said house to be occupied by, such head chief so long  
 46542 as he may continue to hold that office.

46543 And it is distinctly understood and agreed that at the time  
 46544 of the conclusion of this treaty Kamaiakun is the duly elected  
 46545 and authorized head chief of the confederated tribes and bands  
 46546 aforesaid, styled the Yakama Nation, and is recognized as such  
 46547 by them and by the commissioners on the part of the United  
 46548 States holding this treaty; and all the expenditures and ex-  
 46549 penses contemplated in this article of this treaty shall be defrayed  
 46550 by the United States, and shall not be deducted from the an-  
 46551 nuities agreed to be paid to said confederated tribes and bands  
 46552 of Indians. Nor shall the cost of transporting the goods for the  
 46553 annuity payments be a charge upon the annuities, but shall be  
 46554 defrayed by the United States.

46555 ARTICLE 6. The President may, from time to time, at his  
 46556 discretion, cause the whole or such portions of such reservation  
 46557 as he may think proper, to be surveyed into lots, and assign the  
 46558 same to such individuals or families of the said confederated  
 46559 tribes and bands of Indians as are willing to avail themselves of  
 46560 the privilege, and will locate on the same as a permanent home,  
 46561 on the same terms and subject to the same regulations as are

provided in the sixth article of the treaty with the Omahas, so far as the same may be applicable.

ARTICLE 7. The annuities of the aforesaid confederated tribes and bands of Indians shall not be taken to pay the debts of individuals.

ARTICLE 8. The aforesaid confederated tribes and bands of Indians acknowledge their dependence upon the Government of the United States, and promise to be friendly with all citizens thereof, and pledge themselves to commit no depredations upon the property of such citizens.

And should any one or more of them violate this pledge, and the fact be satisfactorily proved before the agent, the property taken shall be returned, or in default thereof, or if injured or destroyed, compensation may be made by the Government out of the annuities.

Nor will they make war upon any other tribe, except in self-defence, but will submit all matters of difference between them and other Indians to the Government of the United States or its agent for decision, or abide thereby. And if any of the said Indians commit depredations on any other Indians within the Territory of Washington or Oregon, the same rule shall prevail as that provided in this article in case of depredations against citizens. And the said confederated tribes and bands of Indians agree not to shelter or conceal offenders against the laws of the United States, but to deliver them up to the authorities for trial.

ARTICLE 9. The said confederated tribes and bands of Indians desire to exclude from their reservation the use of ardent spirits, and to prevent their people from drinking the same, and, therefore, it is provided that any Indian belonging to said confederated tribes and bands of Indians who is guilty of bringing liquor into said reservation, or who drinks liquor, may have his or her annuities withheld from him or her for such time as the President may determine.

ARTICLE 10. *And provided*, That there is also reserved and set apart from the lands ceded by this treaty, for the use and benefit of the aforesaid confederated tribes and bands, a tract of land not exceeding in quantity one township of six miles square, situated at the forks of the Piquouse or Wenatshapam River, and known as the "Wenatshapam Fishery," which said reservation shall be surveyed and marked out whenever the President may direct, and be subject to the same provisions and restrictions as other Indian reservations.

ARTICLE 11. This treaty shall be obligatory upon the contracting parties as soon as the same shall be ratified by the President and Senate of the United States.

Proclaimed April 18, 1859.

46609

## CHOCTAWS AND CHICKASAWS.

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N. B.—The following treaty ought to appear at page 274.

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*Articles of convention and agreement made on the seventeenth day of January, 1837, between the undersigned chiefs and commissioners duly appointed and empowered by the Choctaw tribe of red people, and John McLish, Pitman Colbert, James Brown, and James Perry, delegates of the Chickasaw tribe of Indians, duly authorized by the chiefs and head-men of said people for that purpose, at Doaksville, near Fort Towson, in the Choctaw country.*

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ARTICLE 1. It is agreed by the Choctaws that the Chickasaws shall have the privilege of forming a district within the limits of their country, to be held on the same terms that the Choctaws now hold it, except the right of disposing of it, (which is held in common with the Choctaws and Chickasaws,) to be called the Chickasaw district of the Choctaw Nation; to have an equal representation in their general council, and to be placed on an equal footing in every other respect with any of the other districts of said nation, except a voice in the management of the consideration which is given for these rights and privileges; and the Chickasaw people to be entitled to all the rights and privileges of Choctaws, with the exception of participating in the Choctaw annuities and the consideration to be paid for these rights and privileges, and to be subject to the same laws to which the Choctaws are; but the Chickasaws reserve to themselves the sole right and privilege of controlling and managing the residue of their funds as far as is consistent with the late treaty between the said people and the Government of the United States, and of making such regulations and electing such officers for that purpose as they may think proper.

ARTICLE 2. The Chickasaw district shall be bounded as follows, viz: beginning on the north bank of Red River, at the mouth of Island Bayou, about eight or ten miles below the mouth of False Wachitta; thence running north along the main channel of said bayou to its source; thence along the dividing ridge between the Wachitta and Low Blue Rivers to the road leading from Fort Gibson to Fort Wachitta; thence along said road to the line dividing Musha-la-tubbee and Push-meta-haw districts; thence eastwardly along said district line to the source of Brushy Creek; thence down said creek to where it flows into the Canadian River, ten or twelve miles above the mouth of the south fork of the Canadian; thence west along the main Canadian River to its source, if in the limits of the United States, or

46652 to those limits; and thence due south to Red River, and down  
46653 Red River to the beginning.

46654 ARTICLE 3. The Chickasaws agree to pay the Choctaws, as a  
46655 consideration for these rights and privileges, the sum of five  
46656 hundred and thirty thousand dollars—thirty thousand of which  
46657 shall be paid at the time and in the manner that the Choctaw  
46658 annuity of 1837 is paid, and the remaining five hundred thou-  
46659 sand dollars to be invested in some safe and secure stocks, under  
46660 the direction of the Government of the United States, redeem-  
46661 able within a period of not less than twenty years—and the  
46662 Government of the United States shall cause the interest aris-  
46663 ing therefrom to be paid annually to the Choctaws in the follow-  
46664 ing manner: twenty thousand dollars of which to be paid as  
46665 the present Choctaw annuity is paid, for four years, and the  
46666 residue to be subject to the control of the general council of the  
46667 Choctaws; and after the expiration of the four years the whole  
46668 of said interest to be subject to the entire control of the said  
46669 council.

46670 ARTICLE 4. To provide for the future adjustment of all com-  
46671 plaints or dissatisfaction which may arise to interrupt the peace  
46672 and harmony which have so long and so happily existed between  
46673 the Choctaws and Chickasaws, it is hereby agreed by the parties  
46674 that all questions relative to the construction of this agreement  
46675 shall be referred to the Choctaw agent to be by him decided;  
46676 reserving, however, to either party, should it feel itself aggrieved  
46677 thereby, the rights of appealing to the President of the United  
46678 States, whose decision shall be final and binding. But as con-  
46679 siderable time might elapse before the decision of the President  
46680 could be had, *in the mean time* the decision of the said agent  
46681 shall be binding.

46682 ARTICLE 5. It is hereby declared to be the intention of the  
46683 parties hereto, that equal rights and privileges shall pertain to  
46684 both Choctaws and Chickasaws to settle in whatever district  
46685 they may think proper, and to be eligible to all the different  
46686 offices of the Choctaw Nation, and to vote on the same terms in  
46687 whatever district they may settle, except that the Choctaws are  
46688 not to vote *in anywise* for officers in relation to the residue of  
46689 the Chickasaw fund.

46690 Proclaimed March 24, 1837.

# 46691 TREATY OF FORT LARAMIE.

46692 The following treaty, though never ratified or printed, is  
46693 sometimes referred to in appropriations and in other treaties;  
46694 for instance, treaty with the Sioux, Yancton tribe, proclaimed  
46695 February 26, 1859. See foot of page 856.

46696 Articles of a treaty made and concluded at Fort Laramie,  
 46697 in the Indian Territory, between D. D. Mitchell, superintendent  
 46698 of Indian affairs, and Thomas Fitzpatrick, Indian agent, com-  
 46699 missioners specially appointed and authorized by the President  
 46700 of the United States, of the first part, and the chiefs, head-  
 46701 men, and braves of the following Indian nations, residing south  
 46702 of the Missouri River, east of the Rocky Mountains, and north  
 46703 of the lines of Texas and New Mexico, viz, the Sioux or Dah-  
 46704 cotahs, Cheyennes, Arrapahoes, Crows, Assinaboines, Gros-  
 46705 Ventre Mandans, and Arriekaras, parties of the second part, on  
 46706 the seventeenth day of September, A. D. one thousand eight  
 46707 hundred and fifty-one.

46708 ARTICLE 1. The aforesaid nations, parties to this treaty,  
 46709 having assembled for the purpose of establishing and confirming  
 46710 peaceful relations amongst themselves, do hereby covenant and  
 46711 agree to abstain in future from all hostilities whatever against  
 46712 each other, to maintain good faith and friendship in all their  
 46713 mutual intercourse, and to make an effective and lasting peace.

46714 ARTICLE 2. The aforesaid nations do hereby recognize the  
 46715 right of the United States Government to establish roads,  
 46716 military and other posts, within their respective territories.

46717 ARTICLE 3. In consideration of the rights and privileges  
 46718 acknowledged in the preceding article, the United States bind  
 46719 themselves to protect the aforesaid Indian nations against the  
 46720 commission of all depredations by the people of the said United  
 46721 States, after the ratification of this treaty.

46722 ARTICLE 4. The aforesaid Indian nations do hereby agree  
 46723 and bind themselves to make restitution or satisfaction for any  
 46724 wrongs committed, after the ratification of this treaty, by any  
 46725 band or individual of their people, on the people of the United  
 46726 States, whilst lawfully residing in or passing through their re-  
 46727 spective territories.

46728 ARTICLE 5. The aforesaid Indian nations do hereby recognize  
 46729 and acknowledge the following tracts of country, included  
 46730 within the metes and boundaries hereinafter designated, as  
 46731 their respective territories, viz :

46732 The territory of the Sioux or Dahcotah Nation, commencing  
 46733 the mouth of the White Earth River, on the Missouri River;  
 46734 thence in a southwesterly direction to the forks of the Platte  
 46735 River; thence up the north fork of the Platte River to a point  
 46736 known as the Red Butte, or where the road leaves the river;  
 46737 thence along the range of mountains known as the Black  
 46738 Hills, to the head-waters of Heart River; thence down Heart  
 46739 River to its mouth; and thence down the Missouri River to the  
 46740 place of beginning.

46741 The territory of the Gros Ventre, Mandans, and Arriekaras

46742 Nations, commencing at the mouth of Heart River ; thence up  
 46743 the Missouri River to the mouth of the Yellowstone River ;  
 46744 thence up the Yellowstone River to the mouth of Powder River  
 46745 in a southeasterly direction, to the head-waters of the Little Mis-  
 46746 souri River ; thence along the Black Hills to the head of Heart  
 46747 River, and thence down Heart River to the place of beginning.

46748 The territory of the Assinaboin Nation, commencing at the  
 46749 mouth of Yellowstone River ; thence up the Missouri River to the  
 46750 mouth of the Muscle-shell River ; thence from the mouth of the  
 46751 Muscle-shell River in a southeasterly direction until it strikes  
 46752 the head-waters of Big Dry Creek ; thence down that creek to  
 46753 where it empties into the Yellowstone River, nearly opposite  
 46754 the mouth of Powder River, and thence down the Yellowstone  
 46755 River to the place of beginning.

46756 The territory of the Blackfoot Nation, commencing at the  
 46757 mouth of Muscle-shell River ; thence up the Missouri River to its  
 46758 source ; thence along the main range of the Rocky Mountains, in  
 46759 a southerly direction, to the head-waters of the northern source  
 46760 of the Yellowstone River ; thence down the Yellowstone River  
 46761 to the mouth of Twenty-five Yard Creek ; thence across to the  
 46762 head-waters of the Muscle-shell River, and thence down the  
 46763 Muscle-shell River to the place of beginning.

46764 The territory of the Crow Nation, commencing at the mouth  
 46765 of Powder River on the Yellowstone ; thence up Powder River to  
 46766 its source ; thence along the main range of the Black Hills and  
 46767 Wind River Mountains to the head-waters of the Yellowstone  
 46768 River ; thence down the Yellowstone River to the mouth of Twen-  
 46769 ty-five Yard Creek ; thence to the head-waters of the Muscle  
 46770 shell River ; thence down the Muscle-shell River to its mouth ;  
 46771 thence to the head-waters of Big Dry Creek, and thence to its  
 46772 mouth.

46773 The territory of the Cheyennes and Arrapahoes, commenc-  
 46774 ing at the Red Butte, or the place where the road leaves the  
 46775 north fork of the Platte River ; thence up the north fork of the  
 46776 Platte River to its source ; thence along the main range of the  
 46777 Rocky Mountains to the head-waters of the Arkansas River ;  
 46778 thence down the Arkansas River to the crossing of the Santa  
 46779 Fé road ; thence in a northwesterly direction to the forks of the  
 46780 Platte River, and thence up the Platte River to the place of  
 46781 beginning.

46782 It is, however, understood that, in making this recognition  
 46783 and acknowledgement, the aforesaid Indian nations do not  
 46784 hereby abandon or prejudice any rights or claims they may have  
 46785 to other lands ; and further, that they do not surrender the priv-  
 46786 ilege of hunting, fishing, or passing over any of the tracts of  
 46787 country heretofore described.

46788 ARTICLE 6. The parties to the second part of this treaty  
 46789 having selected principals or head-chiefs for their respective  
 46790 nations, through whom all national business will hereafter be  
 46791 conducted, do hereby bind themselves to sustain said chiefs  
 46792 and their successors during good behavior.

46793 ARTICLE 7. In consideration of the treaty stipulations, and  
 46794 for the damages which have or may occur by reason thereof to  
 46795 the Indian nations, parties hereto, and for their maintenance  
 46796 and the improvement of their moral and social customs, the  
 46797 United States bind themselves to deliver to the said Indian na-  
 46798 tions the sum of fifty thousand dollars per annum for the term  
 46799 of ten years, with the right to continue the same at the discre-  
 46800 tion of the President of the United States for a period not  
 46801 exceeding five years thereafter, in provisions, merchandise, do-  
 46802 mestic animals, and agricultural implements, in such proportions  
 46803 as may be deemed best adapted to their condition by the Pres-  
 46804 ident of the United States, to be distributed in proportion to the  
 46805 population of the aforesaid Indian nations.

46806 ARTICLE 8. It is understood and agreed that should any of  
 46807 the Indian nations, parties to this treaty, violate any of the  
 46808 provisions thereof, the United States may withhold the whole  
 46809 or a portion of the annuities mentioned in the preceding article  
 46810 from the nation so offending, until, in the opinion of the Pres-  
 46811 ident of the United States, proper satisfaction shall have been  
 46812 made.

46813 In testimony whereof the said D. D. Mitchell and Thomas  
 46814 Fitzpatrick, commissioners as aforesaid, and the chiefs, head-  
 46815 men, and braves, parties hereto, have set their hands and  
 46816 affixed their marks, on the day and at the place first above  
 46817 written.

46818 [The following agreement is conditionally recognized in the  
 46819 act of February 14, 1873, 17 Statutes at Large, page 457,  
 46820 where the agreement is confirmed, except the paragraphs third  
 46821 to ninth, both inclusive, no part of the appropriation to be ex-  
 46822 pended until the ratification of the agreement by the Indians as  
 46823 amended. The treaty referred to in the agreement is to be found  
 46824 at page 909, foot.]

46825 *Agreement with the Sisseton and Wahpeton bands of Sioux In-*  
 46826 *dians.*

46827 Whereas the Sisseton and Wahpeton bands of Dakotah  
 46828 or Sioux Indians made and concluded a treaty with the United  
 46829 States, at the City of Washington, D. C., on the 19th day of  
 46830 February, A. D. 1867, (see page 909,) which was ratified, with

46831 certain amendments, by the Senate of the United States on the  
 46832 15th day of April, 1867, and finally promulgated by the Presi-  
 46833 dent of the United States on the 2d day of May, in the year  
 46834 aforesaid, by which the Sisseton and Wahpeton bands of Sioux  
 46835 Indians ceded to the United States certain privileges and rights  
 46836 supposed to belong to said bands in the territory described in  
 46837 article two (2) of said treaty; and

46838 Whereas it is desirable that all said territory, except the  
 46839 portion thereof comprised in what is termed the permanent res-  
 46840ervations, particularly described in articles three (3) and four  
 46841 (4) of said treaty, shall be ceded absolutely to the United States  
 46842 upon such consideration as in justice and equity should be paid  
 46843 therefor by the United States; and

46844 Whereas said territory, now proposed to be ceded, is no  
 46845 longer available to said Indians for the purpose of the chase,  
 46846 and such value or consideration is essentially necessary in order  
 46847 to enable said bands interested therein to cultivate portions of  
 46848 said permanent reservations, and become wholly self-supporting  
 46849 by the cultivation of the soil and other pursuits of husbandry :  
 46850 Therefore, the said bands, represented in said treaty, and parties  
 46851 thereto, by their chiefs and head-men, now assembled in coun-  
 46852 cil, do propose to M. N. Adams, William H. Forbes, and James  
 46853 Smith, jr., commissioners on behalf of the United States, as  
 46854 follows :

46855 First. To cede, sell, and relinquish to the United States all  
 46856 their right, title, and interest in and to all lands and territory  
 46857 particularly described in article two (2) of said treaty, as well as  
 46858 all lands in the Territory of Dakota to which they have title or  
 46859 interest, excepting the said tracts particularly described and  
 46860 bounded in articles three (3) and four (4) of said treaty, which  
 46861 last-named tracts and territory are expressly reserved as per-  
 46862 manent reservations for occupancy and cultivation, as con-  
 46863 templated by articles eight, (8,) nine, (9,) and ten (10) of said  
 46864 treaty.

46865 Second. That, in consideration of said cession and relin-  
 46866 quishment, the United States shall advance and pay, annually,  
 46867 for the term of ten (10) years from and after the acceptance by  
 46868 the United States of the proposition herein submitted, eighty  
 46869 thousand (80,000) dollars, to be expended under the direction of  
 46870 the President of the United States, on the plan and in accordance  
 46871 with the provisions of the treaty aforesaid, dated February 19,  
 46872 1867, for goods and provisions, for the erection of manual-labor  
 46873 and public school-houses, and for the support of manual-labor  
 46874 and public schools, and in the erection of mills, blacksmith-  
 46875 shops, and other work-shops, and to aid in opening farms, break-  
 46876 ing land and fencing the same, and in furnishing agricultural

46877 implements, oxen, and milch-cows, and such other beneficial ob-  
 46878 jects as may be deemed most conducive to the prosperity and  
 46879 happiness of the Sisseton and Wahpeton bands of Dakota or  
 46880 Sioux Indians entitled thereto according to the said treaty of  
 46881 February 19, 1867. Such annual appropriation or consideration  
 46882 to be apportioned to the Sisseton and Devil's Lake agencies, in  
 46883 proportion to the number of Indians of the said bands located  
 46884 upon the Lake Traverse and Devil's Lake reservations respect-  
 46885 ively. Such apportionment to be made upon the basis of the  
 46886 annual reports or returns of the agents in charge. Said con-  
 46887 sideration, amounting in the aggregate to eight hundred thou-  
 46888 sand (800,000) dollars, payable as aforesaid, without interest.

46889 Third. As soon as may be the said territory embraced with-  
 46890 in said reservation described in article four, (4,) (Devil's Lake  
 46891 reservation,) shall be surveyed, as Government lands are sur-  
 46892 veyed, for the purpose of enabling the Indians entitled to acquire  
 46893 permanent rights in the soil, as contemplated by article five (5)  
 46894 of said treaty.

46895 Fourth. We respectfully request that, in case the foregoing  
 46896 propositions are favorably entertained by the United States, the  
 46897 sale of spirituous liquors upon the territory ceded may be  
 46898 wholly prohibited by the United States Government.

46899 Fifth. The provisions of article (5) of the treaty of Feb-  
 46900 ruary 19, 1867, to be modified as follows: An occupancy and  
 46901 cultivation of five (5) acres, upon any particular location, for a  
 46902 term of five (5) consecutive years, shall entitle the party to a  
 46903 patent for forty acres; a like occupancy and cultivation of ten  
 46904 (10) acres, to entitle the party to a patent to eighty acres; and  
 46905 a like occupancy and cultivation of any tract, to the extent of  
 46906 twenty acres, shall entitle the party so occupying and cultivat-  
 46607 ing to a patent for 160 acres of land. Parties who have already  
 46908 selected farms and cultivated the same may be entitled to the  
 46909 benefit of this modification. Patents so issued (as hereinbefore  
 46910 set forth) shall authorize a transfer or alienation of such lands  
 46911 situate within the Sisseton agency, after the expiration of ten  
 46912 (10) years from this date, and within the Devil's Lake reserva-  
 46913 tion after the expiration of fifteen (15) years, but not sooner.

46914 Sixth. The consideration to be paid, as hereinbefore pro-  
 46915 posed, is in addition to the provisions of article six (6) of the  
 46916 treaty of February 19, 1867, under which Congress shall appro-  
 46917 priate, from time to time, such an amount as may be required  
 46918 to meet the necessities of said Indians, to enable them to become  
 46819 civilized.

46920 Seventh. Sections sixteen (16) and thirty-six (36) within the  
 46921 reservations shall be set apart for educational purposes, and all

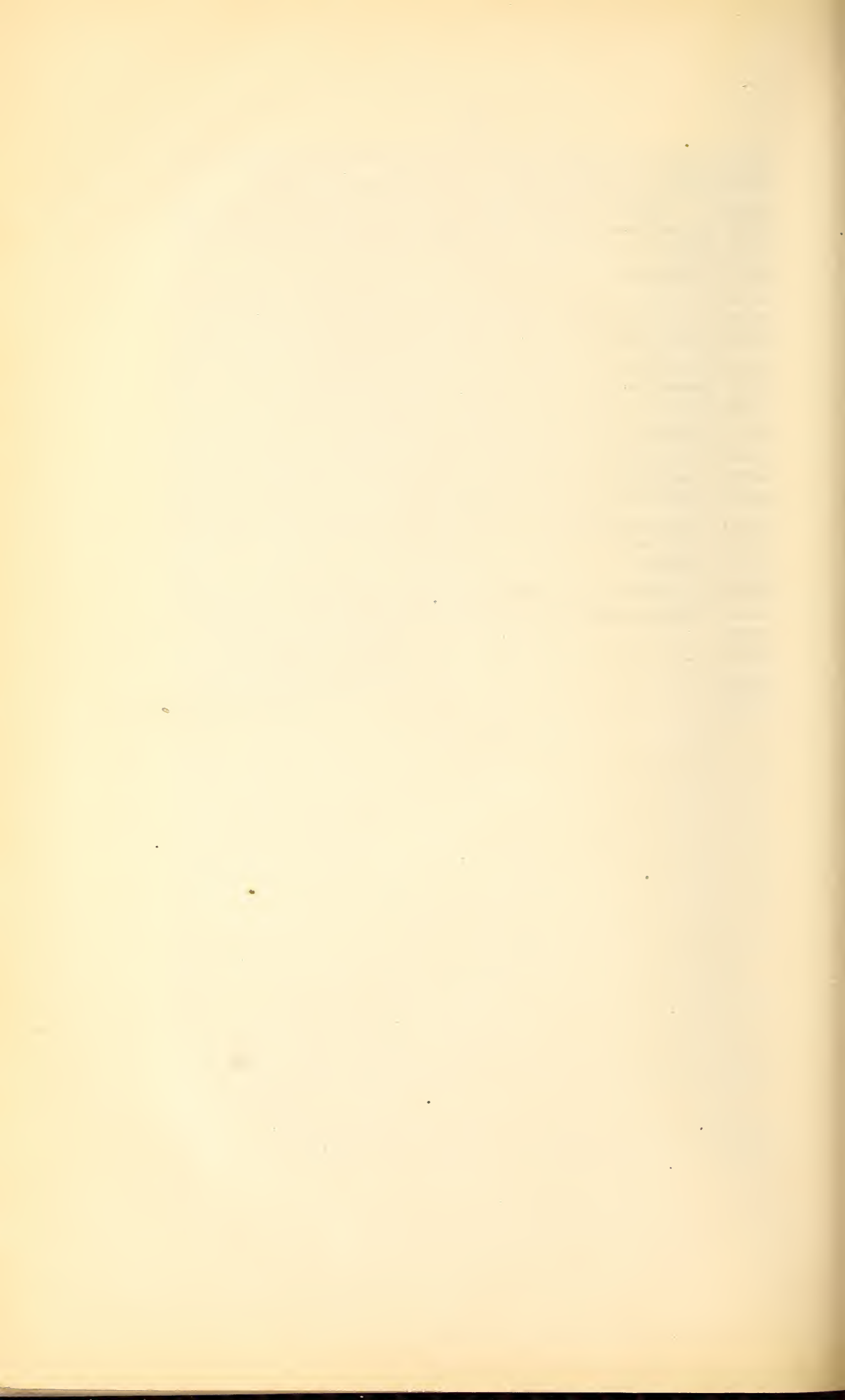
46922 children of a suitable age within either reservation shall be com-  
 46923 pelled to attend school at the discretion of the agents.

46924 Eighth. At the expiration of ten (10) years from this date  
 46925 all members of said bands under the age of twenty-one years  
 46926 shall receive 40 acres of land from said permanent reservations  
 46927 in fee-simple.

46928 Ninth. At the expiration of ten (10) years the President of  
 46929 the United States shall sell or dispose of all the remaining or  
 46930 unoccupied lands in the Lake Traverse reservation, (excepting  
 46931 that which may hereafter be set apart for school purposes;) the  
 46932 proceeds of the sale of such lands to be expended for the benefit  
 46933 of the members of said bands located on said Lake Traverse res-  
 46934 ervation; and, at the expiration of fifteen (15) years, the Presi-  
 46935 dent shall sell or dispose of all the remaining unoccupied lands  
 46936 (excepting that which may be hereafter set apart for school pur-  
 46937 poses) in the Devil's Lake reservation; the proceeds of the sale  
 46938 of such lands shall be expended for the benefit of all members of  
 46939 said bands who may be located on the said Devil's Lake res-  
 46940 ervation.

46941 Executed at Sisseton agency, Dakota Territory, Lake  
 46942 Traverse reservation, this 20th day of September, A. D. 1872.

46943 MOSES N. ADAMS,  
 46944 WM. H. FORBES,  
 46945 JAMES SMITH, JR.,  
 46946 *Commissioners.*



## ERRATA.

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Page 152, line 6721, for "1836," read "1816."

Page 396, between lines 17714 and 17715, insert the words "Proclaimed January 5, 1819."

Page 398, line 17809, for "January 5, 1819," read "February 13, 1833."

Page 436, line 19495, in the blank after the word "page," insert "375."

Page 481, line 21489, for "1835," read "1833."

Page 674, between lines 30140 and 30141, insert the words "Treaty made September 19, 1827."

Page 922, between lines 41090 and 41091, insert the words "Six Nations;" line 41130, for "proclaimed," read "concluded."



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TO

## COMPILATION OF TREATIES

BETWEEN

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